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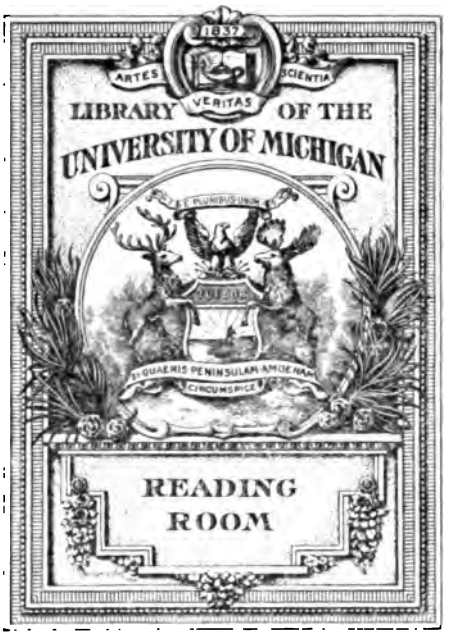
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The World's Orators

Comprising

THE GREAT ORATIONS OF THE WORLD'S HISTORY

With

Introductory Essays, Biographical Sketches and Critical Notes

GUY CARLETON LEE, PH.D.
Editor-in-Chief

WITH ILLUSTRATIONS

G. P. PUTNAM'S SONS
NEW YORK AND LONDON
The Knickerbocker Press
MCM

A Hamilton

Alexander Hamilton.

From a steel engraving.

Orators of America

Part I.

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G. P. PUTNAM'S SONS
NEW YORK AND LONDON
The Knickerbocker Press
1900

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The Knickerbocker Press, New York

PREFACE

TO

THE ORATORS OF AMERICA

Part I

THIS volume, the eighth in the World's Orators Series, is devoted to American secular oratory of the eighteenth century. The attempt has been made to present those examples which best illustrate the formative period of national eloquence. By this method of selection can be perceived the true value of the great orations of those men to whom the nation owes its existence, and the volume is thereby rendered of greater service to both the student and the general reader.

G. C. L.

HISTORICAL DEPARTMENT,
JOHNS HOPKINS UNIVERSITY,
1900.

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THE WORLD'S ORATORS

THE WORLD'S ORATORS

THE WORLD'S ORATORS

THE ORATORY OF AMERICA

PART FIRST

THE characteristics of American oratory are less sharply defined than are those of the oratory of other nations. We are a composite people; into our racial tendencies have been brought contributions from east and west, from north and south. The combination has not so much produced a distinct type as a series of merging types, and our very speech shows signs of varied origin.

Again, there exist territorial characteristics which affect the general result. Though in the settlement of America there was no sharply drawn line of demarcation, yet there was vast difference of character in the various colonizations. In the North, the Puritan took for his own the soil, when he had been driven forth from the land of his for-

bears. He fought and sowed and reaped, and around him there grew up a race which possessed more distinctive features than did any other of the inhabitants of our country. There was less intermixture of other races with the Puritan than with the other early settlers of America. To the South came a race of Cavaliers, descendants of men who had fought by the side of dashing Prince Rupert at Naseby and Marston Moor. To these again came Huguenots, bringing yet more of dash and lightness of thought with their French blood. Therefore it came about, and to some extent holds unto this day, that the orator of the North was calm, steadfast, incisive; he of the South was tempestuous, fervid, enthusiastic. It was the legacy of Puritan and Cavalier, and, though greatly modified by time and circumstance, their children still honor and cleave to that legacy.

But beside these reasons for the lack of distinctiveness in our national oratory, there is a third which obtains with even greater force. In all other nations there has been history of letters, developing with the history of the race. America alone lacks this. Here there was no tradition; our letters, from their inception, were the offspring of many different nations, and therefore held nothing of originality. There had been no beginning; the tale of literature was taken up in the place where another had laid it by. All influence was

from without. The Puritan writer or orator was entirely dominated by recollections of those of England, or by the reports of speeches brought to him across the intervening seas. The Southern orator clove to the fiery eloquence of the sunny land of France, and modelled upon this his public utterances. There was no initial; all was but sequence, and therefore all was devoid of national characteristic.

That there was a native form of eloquence, peculiar to the soil, is not to be denied. But it was aboriginal, and therefore powerless to affect the Caucasian methods. Though we have but tradition upon which to rely, it is at least probable that the American Indian was gifted with oratorical powers of no mean order. This we may judge from results. Pontiac, a chief in disfavor with his own tribe, which distrusted and almost outlawed him, yet by the sole power of his burning eloquence stirred up the Indians of his region to indomitable war against the British, a war which was checked in its successes only by the memorable and futile siege of Detroit. In later times, Tecumseh and his brother, the mysterious "Prophet," proved the strength of fiery words in incitement of the red people, and in other fields Red Jacket, Logan, Black Hawk, Osceola, and others showed themselves masters of a species of oratory, rude and uncultured indeed, yet powerful

and effective. Nor, again judging mostly by tradition, was it rude except in form. The Indian speaker frequently indulged in bursts of poetic fancy, using apt and striking imagery to support or adorn his thesis.

But the hostile relations which almost invariably subsisted between invader and aborigine were too constant to permit the native eloquence to produce any effect upon that of the conquering race. Moreover, the white man despised the red too thoroughly to be willing to adopt any of his methods, even if these had been worthy of being adopted.

The early colonists were not given to speech-making. They were doers rather than talkers. Especially were the Puritans a silent race. They said little, those grim, steadfast men; they built their houses, they tilled their fields, they fought starkly for their possessions and their very lives, but they neither sought nor gave counsel. The pulpit alone raised its voice upon the shores of New England, and polemic was the sole order of oratory. Nor was this of a high or noble type; the Puritan loved invective of his foes rather than commendation of his friends, and the pains of hell were more to his taste as subject of disquisition than were the delights of heaven.

In the South, which at that time meant Virginia, there was different cause but like effect. Little

cared the Cavalier for speech, save that which leaned to love and pleasure. Song was well, and harmonized with the wassail to which the dashing soldier of the Virgin Colony usually abandoned his times of leisure; but continued speech was only for the grave and reverend, and of these there was great dearth in the South. Even the pulpit was silent in this realm of song and laughter; its voice was too weak to call auditors unto it, and its attempts to do so were but feeble.

Thus, among all those whose names stand prominently forward in the history of the early colonial days, there is not one, unless Roger Williams be claimed as an exception, who is notable as an orator. Endicott and Winthrop in the North, Berkeley and Bacon in the South, were names which were synonymes for power and will, but these men did not bring eloquence to the aid of their sway. Endicott ruled with a rod of iron, a monarch as absolute as any that ever lived; but he was content to say briefly, "Do this," and it was surely done. Berkeley tolerated no rival in his dominion, and bent every one to his will; but he never condescended to address at length his dutiful subjects, the House of Burgesses. Indeed, he was not minded that instruction of any kind should be widely diffused, and tersely summed up his opinion of free schools and printing in the publicly uttered prayer, "God keep us from both!"

Until nearly the middle of the eighteenth century, there was nothing which could be called American literature. Cotton Mather's marvellously voluminous writings could not be dignified by such a term, and Franklin was noted in his works for shrewdness and plainness rather than for literary form. But there was at work an influence which resulted in the first faint whispers of national oratory. This influence was the importation of the English Parliamentary Reports, studded with the speeches of Bolingbroke, Walpole, Chatham, Burke, and others of that calibre. In the dearth of native literature, and because of the influence of their utterances upon questions which vitally affected the interests of the colonies, these speeches were eagerly welcomed and read, and in them was found the first formative influence of American oratory.

Nor was it long before occasion came to give to that oratory at once need and reason. British aggression, British tyranny, were every day becoming more frequent and more difficult of toleration. The New England colonies, where dwelt a race of men unaccustomed to bend humbly beneath the yoke of servitude—men whose fathers had abandoned all to follow liberty—chafed restlessly beneath the ceaseless assaults upon their rights to which they were subjected. The blazing cross which should call all freemen to arms was

already lighted; soon it would be borne forth upon the hills and in the sacred name of the country summon her sons to burst the fetters which men strove to impose upon her, or to perish in the resulting strife.

The epochs of history and of oratory are parallel in time, as in cause, and in the hour of approaching crisis men stood forward to give voice to the public heart. Samuel Adams was perhaps the first distinctively American orator, as he was the first American statesman to recognize and insist upon the feasibility and wisdom of asserting the independence of the colonies. The time called loudly for fearlessness of speech, and Adams nobly answered the call. His clarion tones echoed from New England to the Carolinas and gave incentive to sluggards and courage to cowards. Nor were these the limits of his words; they resounded beyond the seas, bringing thought to the wiser of the statesmen of England—those who could distinguish between the language of braggadocio and that of inflexible resolve.

Adams did not long stand alone. His boldness and energy summoned to his side a host of patriots, whose voices made known those sentiments of freedom which their arms were later destined to render potent on many a stricken field. Their oratory was perhaps, as was that of their Puritan ancestors, more forceful than graceful, but it served

its purpose. Such men as Warren, Otis, and Witherspoon did not lack for formal eloquence; but there were many others whose words were little more than, "To arms, ye who would be free!" and the call sufficed as surely as a more tutored style of oratory. It was the country which spoke through the lips of these men, and her words went not unheeded, even though at times they were but harsh and rude, and sometimes little more than an inarticulate cry to her children to help her, lest she perish utterly.

But not alone in New England did the people speak, through their chosen mouthpieces, their grief and their wrath. The South heard the cry of the North, and responded thereto with no uncertain sound of pity, indignation, and sympathy. The sapient ministers of England had thought to placate one section—even one colony—by expanding its privileges through curtailment of those rightfully possessed by sister colonies, but the people would none of it. The wrongs of Boston weighed heavily upon the great heart of the whole country, and the other colonies made haste to assure their suffering kinsmen of their sympathy and determination to aid. Virginia, far removed from the scene of the political strife, though feeling some of the effects of the general measures adopted for repression, called aloud, through the eloquent lips of Patrick Henry and others among her sons, for

justice to all alike, or for severance from that mother who knew not how to guard her children. And now, in the death-throes of peace, American oratory sprang into full life.

There was the thunder of words, as well as of guns, in village and hamlet. The echoes of Lexington and Concord reverberated along the whole chain of the Alleghanies, and the voice of the people took up those passing echoes and made them live. A popular oratory was born full-panoplied; and if its speech was rough and crude, it was yet full of passion and fire. The dominant national characteristic, born of years of resisted oppression by ancestors—the love and desire for freedom—assumed proportions of magnitude unlooked-for by even patriots themselves. And this characteristic, national as to its inception, continuity, and fervor, has ever informed and ennobled the oratory of America.

It might seem at a superficial glance that the history of the American Revolution had no direct bearing upon the history of American oratory. But this would be a mistaken view of the subject. It was in those times of determination amid reverses, steadfastness before despair itself, that the national characteristics became moulded and strengthened into concrete qualities, with power of direction and property of duration. The joyful clash of the old bell at Philadelphia—the dashing

ride of Paul Revere and his warning, yet inciting, message—these found quick response in the hearts of the people, awakening them to responsibility and resolve. The colonies for the first time became a nation, welded together in the fire of a common cause, a common adversity. Hence came the development of certain national traits, and upon such development depends the quality—nay, the very existence—of a popular oratory.

The introduction into the already organized Congress of the measure for declaring the colonies independent and sovereign States brought about the first great debate that had ever taken place in an American legislature. The issue was of the gravest, and there were many true patriots who were yet not ready for endorsement of a step so radical. Practically there was already a federal government in America, a government which conducted internal and even foreign affairs, but it was inchoate and of no intrinsic strength. It was not in all quarters considered that the die had been cast beyond recall; resistance to oppression might be condoned, and there were many who clung to the various theories of tutelage and separatism, shrinking from the braver and more direct way. Among those who were unready to accept independence were Dickinson and his associates, able men, good patriots, yet lacking in the spirit of daring. Adams and Witherspoon, on the other

hand, fought sturdily against any compromissary measure and for a declaration of independence. They were strongly supported by such powers in discussion as Jefferson, Franklin, Hancock, and others whose names have come down to us in the halo of their own fame, and the all-important measure was approved by vote and irrevocably ratified by the adoption of the famous Declaration.

It was not without many fearful qualms, it was with little of enthusiasm or joyful hope, that Congress took this momentous step. It is said that the poising balance was only turned by a solemn invocation to Heaven from the lips of Witherspoon, and they who thus resolved to dare all were far from being fully convinced of the wisdom of the step which they had taken. The passage of the measure was largely a triumph of oratory, for in face of the fervid speech of Adams and his compeers, those who were of more prudent mind felt shame to be utterly swayed by prudence. But the decision, be it for woe or weal, had been reached; and now all joined with mind and heart in the effort to make it for good.

The days which followed were unfavorable to eloquence. It was necessary to make action cognate to precedent speech, and to this end all energies were bent. In the Revolutionary councils themselves there was little of oratory. The time forbade it. It was an hour of anxiety and at times

of struggle against despair, calling for steadfastness of soul rather than for enthusiasm, and under such auspices men speak little and tersely. Those who guided the destinies of the stricken, sundered, striving country could not spare time to the cultivation of rhetoric. Nor was there need of incitement; however divided they had been as to the wisdom of the action, now that it had become a thing of the past their hearts were at one in the effort to make it of avail. We turn in vain to the records of the Revolutionary Congress in search of aught which can be classed as oratory. Before and after the storm, the voice of man was heard; but while the tempest roared and surged across the quaking land, all meaner voices fell silent before the thunder of its mighty tone. The facts themselves were of surpassing eloquence; they needed no setting forth in words.

And yet it is to the Revolution that we owe another and a peculiar characteristic of our national oratory: the popular spirit which informs and moulds it. The dawn of revolt and independence ushered in the day of the people; and to the people, as the sovereign, has appeal ever since been made. Of no other nation is this true as of America. The orator of the English Parliament, the member of the French Assembly, of the German Reichstag, speaks only to those within the compass of his voice; but the American

congressman, maintaining the tradition of the day when his predecessors mounted the stump-rostrum and fired the populace with burning words, speaks to the whole nation. There stands the ultimate tribunal whose verdict he craves or fears. He finds the fruit of his efforts, not in the immediate result upon the measure under discussion, but in the suffrages of the people. And it is this influence which has given to American oratory a singularity of scope and purpose which is lacking in that of other nations.

The coming of peace brought with it new deliberative necessities, and speech again became of moment. With the assumption of independence a sense of strength and greatness had come upon the nation, and it now raised its voice in full confidence that its tones were not unheard of men. The oratory of ante-Revolutionary days had been fervid, passionate, inciting; that of the youth of the established Republic gained in dignity and purpose, being lifted out of the deeps into the fields of opportunity. America was a nation, a fact; now must she show purpose in her birth, and her sons strove to give strength and reason to every step.

Foreign relations became a thing of course, and deliberation and diplomacy took their places in debate. The first and pressing need was the formation of a more settled bond of union

between the erstwhile colonies, which should join the severed units into a homogeneous whole. The Confederation of States had been sufficient for the day of its formation; but now there was call for something with greater promise of permanence, with more inherent strength.

The first step toward this end was the promulgation of a constitution which should be potent to govern the country as a nation, and not leave it as merely a collocation of scattered peoples. This was effected by the submittal to the popular vote of the Constitution of 1787. The discussion which ensued was an epoch in the history of the country and of oratory. The States severally held conventions to determine upon the advisability of adopting the provisions of the proposed Constitution, and in these conventions there were made speeches which marked a distinct advance in the course of American oratory.

The various debates upon the adoption of the Federal Constitution displayed remarkable powers of adaptiveness as well as of eloquence. The changed conditions did not dwarf oratory; on the contrary, they aided it in displaying the promise which should later blossom into fruitage worthy of any nation or time.

The problem which confronted the framers of the Constitution was no light one. To weld so many conflicting interests into one great purpose,

to form for them a lasting law of government, was a task so weighty as to be little less than appalling. How well, on the whole, this task was accomplished is witnessed by history ; but the result was not accepted without question. The national principle had triumphed ; but it had been at the cost of many partial adherents, and ratification was long in doubt. Some of the States promptly gave in their pledge of adherence to the proposed principles. But others hesitated and paltered with the question. Many who had stood among the foremost of patriots in the prologue and struggle of the Revolution were not prepared to accept the proposed form of government. Such patriots and orators as Adams and Henry, to whose burning eloquence the independence of the country in some measure owed its existence, were opposed to ratification, and their influence was weighty with the people. But others, whose names were hardly less favorably known, adopted the principles which were laid down by the framers of the Constitution and supported them with all the power of their influence and eloquence. New York and Virginia were among the last to accede. The latter numbered among her sons Edmund Randolph, and he was a potent factor in at length obtaining the decision for ratification. Henry's opposition seemed at one time as if it would carry the day, but the younger orator on this occasion proved himself

a worthy foe to the giant of yore, and Virginia took her place among those who cried content.

New York was now the last State of importance which remained in doubt as to decision. Here the fight waged more bitterly than elsewhere. Among the opponents of the plan of government were numbered some of the foremost men of the day, including George Clinton, the War Governor of the State. But the friends of ratification were neither few nor feeble. The leader was Alexander Hamilton, and his marvellous eloquence was again and again called on in support of his cause. To this was in great measure due the ultimate triumph of the advocates of the Union, though there was another potent reason in the fact that the new form of government was now a settled thing, so many States having acceded to it, and New York could not well become a foreign State. Finally the opposition was overcome, the Constitution was adopted by all the States, and the Union was complete.

By far the most important step ever taken in the history of the country, it was also the dominant influence upon all of subsequent American political oratory. In one form or another, the question which was then debated and determined, the question of the national principle, informed all the forensic eloquence of succeeding times. It was the well-spring of every difference of political

thought and theory, and for nearly a century, until finally disposed of by the verdict of the war between the States, was the ever-recurring, ever-present spectre which guided the course of debate, however this seemed to be in its nature of differing spirit.

It was not without concession that the advocates of the measure finally succeeded in their efforts, but success was their reward at last, and Washington was placed at the head of the new Government. Then came about a result inevitable to republics. The minority developed a spirit of malcontentism, and this resulted in party. In all the history of our country, there have been few administrations more vilified than were those of Washington. Party spirit sprang into life full-grown, and soon usurped the place which had been held by patriotism, which saw only result to country, looking not to means or section. Whether this was for good or evil, it is not within our province to discuss; but the result on oratory was immediate. There arose the bitterness of sectional discussion; the halls of Congress echoed to the complaint of the representative of some State who thought that his portion of the Union was less favored by some pending measure than was some other section. This spirit grew and spread, until at length it became the chief factor in debate, and from its selfish soil arose the blossoms of eloquence

which charmed the listeners who sat beneath the spell of a Clay, a Webster, or a Calhoun.

Thus the young nation began its career under the auspices of internecine bitterness and turmoil. The more or less secret intervention of France in affairs which were purely national in their character was welcomed by some and indignantly resented by others, and this fact added to the feelings of political animosity which were rapidly growing, and sowed yet more broadcast the seeds of discord. Colonialism was not yet entirely eradicated from the breasts of many of the leaders among the people, and the result was chaos in foreign relations. Even the question as to the permanent seat of government called forth bitter expression of sectional animosity, and all these things had results which were to the detriment of internal peace, but to the nourishing of the highest forms of oratory, because bearing crises in their train.

The eighteenth century closed in America with the downfall of the once potent Federal party, and the rise to power of its opponents the anti-Federalists or Republicans. There had been maladministration and questionable dealing to account for the change in the balance of power, and the result was sure. Henceforth the struggle of party was to wax more and more bitter, having sectionalism grafted upon it, until it culminated in division.

Thus was ushered in the dawn of the noblest era

of American oratory. Upon the ruins of the hopes of peaceful and harmonious prosperity it built its highest altar, finding strongest sustenance in strife and contention. The times called loudly for exponents of the best of both theories of government, and the answer was adequate to the need. The nineteenth century was to give to the listening world examples of an oratory which needed not to fear comparison with that of Greece or Rome, and to prove that there was in the young Republic — however mingled with, or even springing from, motives and causes which were neither worthy nor admirable — powers of eloquence which should make its voice as the voice of a bard of eld.

JAMES OTIS

James Otis was born in Massachusetts in 1725. He graduated from Harvard in 1743, and was admitted to the bar in 1748, in which year he went to Boston, and there began the practice of his profession. He was for a time Advocate-General, but resigned his position rather than argue against his convictions of right. This made him at once prominent and popular, and in 1762 he was elected to the Legislature. Here he established his position as one of the leaders of the popular party, and took a leading part in all the remonstrances addressed to the Crown. When, in 1767, he was chosen Speaker of the Legislature, the Governor negatived the nomination, and on the occasion of the demand of Bernard, calling for the retraction of the circular which had been sent to other colonies urging a common stand for protection against British usurpation, Otis made a speech which was considered the boldest and most "treasonable" ever delivered in the colonies. In 1769 he was accused of treason by the English customs commissioners, upon which he denounced the commissioners in the *Boston Gazette*. The following night he became involved in a dispute with one of the commissioners, and in the brawl Otis was severely injured in the head. This, in 1771, resulted in insanity, from which he never fully recovered. In 1783, while standing at the door of his house in Andover, he was struck by lightning and instantly killed.

Otis was at once a polished and powerful speaker. His chief characteristic was his absolute fearlessness, but he was also close in his logic and pleasing in his diction.

Otis published several pamphlets on political subjects, and one on Latin prosody, but nothing of present interest. His biography was written by William Tudor (Boston, 1823).

ON THE WRITS OF ASSISTANCE

[Selection.] *Otis.*

The "Writs of Assistance" were general search-warrants, permitting the customs officials to enter houses or shops in quest of smuggled goods, no specification of house or shop being given. While they may have been legal, being issued under statutes of Charles II. and William III., — the latter making them to apply to America as well as England,—these Acts were in the last degree obnoxious, and were made the excuse for many acts of oppression. Otis was Advocate-General when the legality of these proceedings was attacked, but promptly resigned his office when called upon to defend that legality. He was then retained by the Boston merchants as their counsel, though he declined the fee which they offered him, stating that in such a cause he despised all fees. His speech, which consumed five hours in delivery, was a wonderful effort. He did not confine himself to the question at issue, but boldly discussed that which was even then beginning to be mooted, the question of rendering obedience to laws which were not made by the nation called upon to obey them. John Adams, in afterward speaking of this speech of Otis, declared that on that day "the child Independence was born." The most interesting portions of this great speech are given.

MAY it please your Honors: I was desired by one of the court to look into the books, and consider the question now before them concerning Writs of Assistance. I have accordingly considered it, and now appear not only in obedience to your order, but likewise in behalf of the inhabitants of this town, who have presented another petition, and out of regard to the liberties of the subject. And I take this opportunity to

declare that whether under a fee or not (for in such a cause as this I despise a fee) I will to my dying day oppose, with all the powers and faculties God has given me, all such instruments of slavery on the one hand and villainy on the other as this Writ of Assistance is.

It appears to me the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of law, that ever was found in an English law-book. I must therefore beg your Honors' patience and attention to the whole range of an argument that may perhaps appear uncommon in many things, as well as to points of learning that are more remote and unusual, that the whole tendency of my design may the more easily be perceived, the conclusions better descend, and the force of them be better felt. I shall not think much of my pains in this cause, as I engaged in it from principle. I was solicited to argue this cause as Advocate-General; and, because I would not, I have been charged with desertion from my office. To this charge I can give a very sufficient answer. I renounced that office and I argue this cause from the same principle; and I argue it with the greater pleasure, as it is in favor of British liberty, at a time when we hear the greatest monarch upon earth declaring from his throne that he glories in the name of Briton and that the privileges of his people are

dearer to him than the most valuable prerogatives of his crown; and as it is in opposition to a kind of power, the exercise of which in former periods of history cost one king of England his head and another his throne. I have taken more pains in this cause than I ever will take again, although my engaging in this and another popular cause has raised much resentment. But I think I can sincerely declare that I cheerfully submit myself to every odious name for conscience' sake; and from my soul I despise all those whose guilt, malice, or folly has made them my foes. Let the consequences be what they will, I am determined to proceed. The only principles of public conduct that are worthy of a gentleman or a man are to sacrifice estate, ease, health, and applause, and even life, to the sacred calls of his country.

These manly sentiments, in private life, make good citizens; in public life, the patriot and the hero. I do not say that, when brought to the test, I shall be invincible. I pray God I may never be brought to the melancholy trial; but, if ever I should, it will then be known how far I can reduce to practice principles which I know to be founded in truth. In the meantime I will proceed to the subject of this writ.

Your Honors will find in the old books concerning the office of a justice of the peace precedents of general warrants to search suspected houses.

But in more modern books you will find only special warrants to search such and such houses, specially named, in which the complainant has before sworn that he suspects his goods are concealed; and will find it adjudged that special warrants only are legal. In the same manner I rely on it, that the writ prayed for in this petition, being general, is illegal. It is a power that places the liberty of every man in the hands of every petty officer. I say I admit that special Writs of Assistance, to search special places, may be granted to certain persons on oath; but I deny that the writ now prayed for can be granted, for I beg leave to make some observations on the writ itself, before I proceed to other Acts of Parliament. In the first place, the writ is universal, being directed "to all and singular justices, sheriffs, constables, and all other officers and subjects"; so that, in short, it is directed to every subject in the King's dominions. Every one with this writ may be a tyrant; if this commission be legal, a tyrant in a legal manner, also, may control, imprison, or murder any one within the realm. In the next place, it is perpetual; there is no return. A man is accountable to no person for his doings. Every man may reign secure in his petty tyranny, and spread terror and desolation around him, until the trump of the Archangel shall excite different emotions in his soul. In the third place, a person with this writ, in the daytime, may

enter all houses, shops, etc., at will, and command all to assist him. Fourthly, by this writ not only deputies, etc., but even their menial servants, are allowed to lord it over us. What is this but to have the curse of Canaan with a witness on us: to be the servants of servants, the most despicable of God's creation? Now one of the most essential branches of English liberty is the freedom of one's house. A man's house is his castle; and whilst he is quiet, he is as well guarded as a prince in his castle. This writ, if it should be declared legal, would totally annihilate this privilege. Custom-house officers may enter our houses when they please; we are commanded to permit their entry. Their menial servants may enter, may break locks, bars, and everything in their way; and whether they break through malice or revenge, no man, no court can inquire. Bare suspicion without oath is sufficient. This wanton exercise of this power is not a chimerical suggestion of a heated brain. I will mention some facts. Mr. Pew had one of these writs, and, when Mr. Ware succeeded him, he endorsed this writ over to Mr. Ware; so that these writs are negotiable from one officer to another; and so your Honors have no opportunity of judging the persons to whom this vast power is delegated. Another instance is this: Mr. Justice Walley had called this same Mr. Ware before him, by a constable, to answer for a breach of the

Sabbath-day Acts, or that of profane swearing. As soon as he had finished, Mr. Ware asked him if he had done. He replied, "Yes." "Well then," said Mr. Ware, "I will show you a little of my power. I command you to permit me to search your house for uncustomed goods"—and went on to search the house from the garret to the cellar; and then served the constable in the same manner! But to show another absurdity in this writ: if it should be established, I insist upon it every person, by the 14th Charles Second, has this power as well as the custom-house officers. The words are: "It shall be lawful for any person or persons authorized," etc. What a scene does this open! Every man prompted by revenge, ill-humor, or wantonness to inspect the inside of his neighbor's house, may get a Writ of Assistance. Others will ask it from self-defence; one arbitrary exertion will provoke another, until society be involved in tumult and in blood.

JOHN DICKINSON

John Dickinson was born in Maryland in 1732. After receiving a good education, he studied law in Philadelphia and London, and successfully practised in the former city. He was made member of the Pennsylvania Assembly in 1764, and of the Colonial Congress in 1765. He wrote many pamphlets opposing the course of the British Government in respect to the colonies, some of which papers won him high commendation from no less a personage than Lord Chatham. He was a member of the first Continental Congress in 1774, but when the question of declaring the colonies independent States arose in discussion, he opposed it, being doubtful of the expediency of the act at that time, and absented himself when the vote was taken. Yet he at once proved his patriotism by accepting the decision and enlisting as a private in the Continental army, in which position he remained until the expiration of his term of service. In 1777 he was commissioned a brigadier-general, and in 1779 was elected to Congress. In 1782 he was elected President of the State of Pennsylvania, remaining in office until 1785. He was largely instrumental in founding Dickinson College. He passed the last years of his life in retirement at Wilmington, Delaware, and there died in 1808.

Dickinson was more scholarly than most of the colonial orators. He was almost over-precise in his diction, but was a fine example of a school which was even then in its decadence.

The best known of the works of Dickinson are the letters published over the *nom de plume* of "Fabius"—an evident memory of the famous Junius, although the style was widely different. His public career is best found in the histories of the times in which he lived.

BEFORE THE PENNSYLVANIA ASSEMBLY

Dickinson.

The following speech was delivered before the Assembly of the Province of Pennsylvania, March 24, 1764. The occasion was the consideration of a petition, drawn up by order, praying the King to grant a change of government to the province. The effort was fruitless, the British Government, as usual, turning a deaf ear to the desires of the colonists. Dickinson, who opposed the measure, in a note on this speech says of it that it "describes the sentiments of administration concerning colonial government, takes notice of the then meditated innovations, and was followed by a regular course of such measures as were apprehended and alluded to."

MR. SPEAKER: When honest men apprehend their country to be injured, nothing is more natural than to resent and complain; but when they enter into consideration of the means for obtaining redress, the same virtue that gave the alarm may sometimes, by causing too great a transport of zeal, defeat its own purpose; it being expedient for those who deliberate of public affairs that their minds should be free from all violent passions. These emotions blind the understanding; they weaken the judgment. It therefore frequently happens that resolutions formed by men thus agitated appear to them very wise, very just, and very salutary; while others, not

influenced by the same heat, condemn those determinations as weak, unjust, and dangerous. Thus, Sir, in councils it will always be found useful to guard against even the indignation that arises from integrity.

More particularly are we bound to observe the utmost caution in our conduct, as the experience of many years may convince us that all our actions undergo the strictest scrutiny. Numerous are the instances that might be mentioned of rights vindicated and equitable demands made in this province, according to the opinions entertained here, that in Great Britain have been adjudged to be illegal attempts and pernicious pretensions.

These adjudications are the acts of persons vested with such dignity and power as claim some deference from us; and hence it becomes not unnecessary to consider in what light the measures now proposed may appear to those whose sentiments, from the constitution of our government, it will always be prudent to regard.

But on this important occasion, we ought not to aim only at the approbation of men whose authority may censure and control us. More affecting duties demand our attention. The honor and welfare of Pennsylvania depending on our decisions, let us endeavor so to act that we may enjoy our own approbation in the cool and

undisturbed hours of reflection ; that we may deserve the approbation of the impartial world and of posterity, who are so much interested in the present debate.

No man, Sir, can be more clearly convinced than I am of the inconveniences arising from a strict adherence to proprietary instructions. We are prevented from demonstrating our loyalty to our excellent Sovereign and our affection to our distressed fellow-subjects, unless we will indulge the proprietors with a distinct and partial mode of taxation, by which they will save perhaps four or five hundred pounds a year, that ought to go in ease of our constituents.

This is granted on all sides to be unequal, and has therefore excited the resentment of this House. Let us resent, but let our resentment bear proportion to the provocation received; and not produce, or even expose us to the peril of producing, effects more fatal than the injury of which we complain. If the change of government now meditated can take place with all our privileges preserved, let it instantly take place; but if they must be consumed in the blaze of royal authority, we shall pay too great a price for our approach to the Throne ; too great a price for obtaining (if we should obtain) the addition of four or five hundred pounds to the proprietary tax ; or indeed for any emolument likely to follow from the change.

I hope I am not mistaken, when I believe that every member in this House feels the same reverence that I do for these inestimable rights. When I consider the spirit of liberty that breathes in them, and the flourishing state to which this province hath risen in a few years under them, I am extremely desirous that they should be transmitted to future ages; and I cannot suppress my solicitude while steps are taken that tend to bring them all into danger. Being assured that this House will always think an attempt to change this government too hazardous unless these privileges can be perfectly secured, I shall beg leave to mention the reasons by which I have been convinced that such an attempt ought not now to be made.

It seems to me, Sir, that a people who intend an innovation of their government ought to choose the most proper time and the most proper method for accomplishing their purposes, and ought seriously to weigh all the probable and possible consequences of such a measure.

There are certain periods in public affairs when designs may be executed much more easily and advantageously than at any other. It hath been by a strict attention to every interesting circumstance, a careful cultivation of every fortunate occurrence, and patiently waiting till they have ripened into a favorable conjuncture, that so many great actions have been performed in the political world.

John Dickinson.

From a mezzotint.

It was through a rash neglect of this prudence and too much eagerness to gain his point that the Duke of Monmouth destroyed his own enterprise and brought himself dishonorably to the block, though everything then verged towards a revolution. The Prince of Orange, with a wise delay, pursued the same views, and gloriously mounted a throne.

It was through a like neglect of this prudence that the Commons of Denmark, smarting under the tyranny of nobility, in a fit of revengeful fury suddenly surrendered their liberties to their king; and ever since, with unavailing grief, and useless execrations, have detested the mad moment that slipped upon them the shackles of slavery, which no struggle can shake off. With more deliberation, the Dutch erected a stadtholdership that hath been of signal service to their State.

That excellent historian and statesman, Tacitus, whose political reflections are so justly and universally admired, makes an observation in his third Annal that seems to confirm these remarks. Having mentioned a worthy man of great abilities, whose ambitious ardor hurried him into ruin, he uses these words: "Quod multos etiam bonos pessum dedit, qui spretis quæ tarda cum securitate, præmatura vel cum exitio properant"—"Which misfortune has happened to many good men, who, despising those things which they might slowly

and safely attain, seize them too hastily, and with fatal speed rush upon their own destruction."

If then, Sir, the best intentions may be disappointed by too rapid a prosecution of them, many reasons induce me to think that this is not the proper time to attempt the change of our government.

It is too notorious and too melancholy a truth that we now labor under the disadvantage of royal and ministerial displeasure. The conduct of this province during the late war has been almost continually condemned at home. We have been covered with the reproaches of men whose stations give us just cause to regard their reproaches. The last letters from his Majesty's Secretary of State prove that the reputation of the province has not yet revived. We are therein expressly charged with double-dealing, disrespect for his Majesty's orders, and, in short, accusations that show us to be in the utmost discredit. Have we the least reason to believe, when the transactions of this year and the cause of our application for a change are made known to the King and his ministers, that their resentment will be waived? Let us not flatter ourselves. Will they not be more incensed, when they find the public service impeded and his Majesty's dominions so long exposed to the ravages of merciless enemies by our inactivity and obstinacy, as it will be said? For this, I think,

hath been the constant language of the ministry on the like occasions. Will not their indignation rise beyond all bounds, when they understand that our hitherto denying to grant supplies, and our application for a change, proceed from the Governor's strict adherence to the terms of the stipulations, so solemnly made and so repeatedly approved by the late and present Kings ?

But I may, perhaps, be answered that we have agreed to the terms of the stipulations according to their true meaning, which the Governor refuses to do. Surely, Sir, it will require no slight sagacity in distinguishing, no common force of argument to persuade his Majesty and his Council that the refusal to comply with the true meaning of the stipulations proceeds from the Governor, when he insists on inserting in our bill the very words and letters of those stipulations.

" But these stipulations were never intended to be inserted, verbatim, in our bills, and our construction is the most just." I grant it appears so to us, but much I doubt whether his Majesty's Council will be of the same opinion. That Board and this House have often differed as widely in their sentiments. Our judgment is founded on the knowledge we have of facts and of the purity of our intentions. The judgment of others is founded on the representations made to them of those facts and intentions. These representations

may be unjust, and, therefore, the decisions that are formed upon them may be erroneous. If we are rightly informed, we are represented as the mortal enemies of the proprietors, who would tear their estates to pieces unless some limit was fixed to our fury. For this purpose the second and third articles of the stipulation were formed. The inequality of the mode was explained and enlarged upon by the provincial council, but in vain. I think I have heard a worthy member, who lately returned from England, mention these circumstances.

If this be the case, what reasonable hope can we entertain of a more favorable determination now? The proprietors are still living. Is it not highly probable that they have interest enough either to prevent the change or to make it on such terms as will fix upon us, forever, those demands that appear so extremely just to the present ministers? One of the proprietors appears to have great intimacy and influence with some very considerable members of his Majesty's Council. Many men of the highest character, if public report speaks truth, are now endeavoring to establish proprietary governments, and, therefore, probably may be more readily inclined to favor proprietary measures. The very gentlemen who formed the articles of the stipulations are now in power, and, no doubt, will enforce their own acts in the strictest manner. On

the other hand, every circumstance that now operates against us may, in time, turn in our favor. We may, perhaps, be fortunate enough to see the present prejudices against us worn off—to recommend ourselves to our Sovereign, and to procure the esteem of some of his ministers. I think I may venture to assert that such a period will be infinitely more proper than the present for attempting a change of our government.

With the permission of the House, I will now consider the manner in which this attempt is carried on; and I must acknowledge that I do not in the least degree approve of it.

The time may come when the weight of this government may grow too heavy for the shoulders of a subject; at least too heavy for those of a woman or an infant. The proprietary family may be so circumstanced as to be willing to accept of such an equivalent for the government from the Crown as the Crown may be willing to give. Whenever this point is agitated, either on a proposal from the Crown or proprietors, this province may plead the cause of her privileges with greater freedom and with greater probability of success than at present. The royal grant; the charter founded upon it; the public faith pledged to the adventurers for the security of those rights to them and their posterity, whereby they were encouraged to combat the dangers, I had almost

said of another world, to establish the British power in remotest regions and add inestimable dominions, with the most extensive commerce, to their native country ; the high value and veneration we have for these privileges ; the afflicting loss and misfortune we should esteem it to be deprived of them, and the unhappiness in which his Majesty's faithful subjects in this province would thereby be involved ; our inviolable loyalty and attachment to his Majesty's person and illustrious family, whose sovereignty has been so singularly distinguished by its favorable influence on the liberties of mankind—all these things may then be properly insisted on. If urged with that modest, heartfelt energy with which good men should always vindicate the interests of their country, I should not despair of a gracious attention to our humble requests. Our petition in such a case would be simply respectful, and, perhaps, affecting. But in the present mode of proceeding it seems to me that we preclude ourselves from every office of decent duty to the most excellent of kings, and from that right of earnestly defending our privileges which we should otherwise have. The foundation of this attempt, I am apprehensive, will appear to others peculiarly unfortunate. In a sudden passion, it will be said, against the proprietors, we call out for a change of government ; not from reverence for his Maj-

esty ; not from a sense of his paternal goodness to his people ; but because we are angry with the proprietors, and tired of a dispute founded on an order approved by his Majesty and his royal grandfather.

Our powerful friends on the other side of the Atlantic, who are so apt to put the kindest constructions on our actions, will, no doubt, observe that the conduct of the people of Pennsylvania must be influenced by very extraordinary councils, since they desire to come more immediately under the King's command, because they will not obey those royal commands that have been already signified to them.

But here it will be said, nay, it has been said, and the petition before the House is drawn accordingly : "We will not allege this dispute with the Governor on the stipulations, but the general inconvenience of a proprietary government, as the cause of our desiring a change." 'T is true we may act in this artful manner, but what advantages shall we gain by it ? Though we should keep the secret, can we seal up the lips of the proprietors ? Can we recall our messages to the Governor ? Can we annihilate our own resolves ? Will not all — will not any of these discover the true cause of the present attempt ?

Why then should we unnecessarily invite fresh invectives in the very beginning of a most impor-

tant business, that to be happily concluded requires all the favor we can procure and all the dexterity we can practise?

We intend to surround the Throne with petitions that our government may be changed from proprietary to royal. At the same time we mean to preserve our privileges; but how are these two points to be reconciled?

If we express our desire for the preservation of our privileges in so general or faint a manner as may induce the King to think they are of no great consequence to us, it will be nothing less than to betray our country.

If, on the other hand, we inform his Majesty that, though we request him to change the government, yet we insist on the preservation of our privileges, certainly it will be thought an unprecedented style of petitioning the Crown, that humbly asks a favor and boldly prescribes the terms on which it must be granted.

How, then, shall we act? Shall we speak, or shall we suppress our sentiments? The first method will render our request incoherent; the second will render it dangerous. Some gentlemen are of opinion that these difficulties may be solved by intrusting the management of this affair to an agent; but I see no reason to expect such an effect. I would first observe that this matter is of too prodigious consequence to be trusted to

the discretion of an agent. But if it shall be committed by this House, the proper guardian of the public liberties, to other hands, this truth must at some time or other be disclosed, that we will never consent to a change, unless our privileges are preserved. I should be glad to know with what finesse this matter is to be conducted. Is the agent to keep our petition to the Crown in his pocket till he has whispered to the ministry? Will this be justifiable? Will it be decent? Whenever he applies to them, I presume they will desire to know his authority for making such an application. Then our petition must appear; and whenever it does appear, either at first or at last, that and the others transmitted with it, I apprehend, will be the foundation of any resolutions taken in the King's Council.

Thus, in whatever view this transaction is considered, shall we not still be involved in the dilemma already mentioned, of begging a favor from his Majesty's goodness, and yet showing a distrust that the royal hand, stretched out at our own request for our relief, may do us injury?

Let me suppose—and none can offer the least proof of this supposition being unreasonable—that his Majesty will not accept of the government, clogged, as it will be said, with privileges inconsistent with the royal rights: how shall we act then? We shall have our choice of two things:

one of them destructive, the other dishonorable. We may either renounce the laws and liberties framed and delivered down to us by our careful ancestors; or we may tell his Majesty, with a surly discontent, that we will not submit to his implored protection but on such conditions as we please to impose on him. Is not this the inevitable alternative to which we shall reduce ourselves?

In short, Sir, I think the farther we advance in the path we are now in, the greater will be the confusion and danger in which we shall engage ourselves. Any body of men acting under a charter must surely tread on slippery ground when they take a step that may be deemed a surrender of that charter. For my part, I think the petitions that have been carried about the city and country to be signed, and are now lying on the table, can be regarded in no other light than as a surrender of the charter, with a short, indifferent hint annexed of a desire that our privileges may be spared, if it shall be thought proper. Many striking arguments may, in my opinion, be urged to prove that any request made by this House for a change may with still greater propriety be called a surrender. The common observation that many of our privileges do not depend on our charter only, but are confirmed by laws approved by the Crown, I doubt will have but little weight with those who will determine this matter.

It will be readily replied that these laws were founded on the charter; that they were calculated for a proprietary government, and for no other, and approved by the Crown in that view alone; that the proprietary government is now acknowledged, by the people living under it, to be a bad government, and the Crown is entreated to accept a surrender of it; that therefore, by thus abolishing the proprietary government, everything founded upon it must, of consequence, be also abolished.

However, if there should be any doubts in the law on these points, there is an easy way to solve them.

These reflections, Sir, naturally lead me to consider the consequences that may attend a change of our government; which is the last point I shall trouble the House upon at this time.

It is not to be questioned but that the ministry are desirous of resting the immediate government of this province advantageously in the Crown. It is true, they do not choose to act arbitrarily, and tear away the present government from us without our consent. This is not the age for such things. But let us only furnish them with a pretext, by pressing petitions for a change; let us only relinquish the hold we now have, and in an instant we are precipitated from that envied height where we now stand. The affair is laid before the Parliament; the desires of the ministry are insinu-

ated; the rights of the Crown are vindicated, and an act passes to deliver us at once from the government of proprietors and the privileges we claim under them.

Then, Sir, we who in particular have presented to the authors of the fatal change this long-wished-for opportunity of effecting it, shall for our assistance be entitled to their thanks—thanks which I am persuaded every worthy member of this House would abhor to deserve, and would scorn to receive.

It seems to be taken for granted that by a change of government we shall obtain a change of those measures which are so displeasing to the people of this province; that justice will be maintained by an equal taxation of the proprietary estates; and that our frequent dissensions will be turned into peace and happiness.

These are effects, indeed, sincerely to be wished for by every sensible, by every honest man; but reason does not always teach us to expect the warm wishes of the heart. Could our gracious Sovereign take into consideration the state of every part of his extended dominions, we might expect redress of every grievance; for, with the most implicit conviction, I believe he is as just, benevolent, and admirable a prince as Heaven ever granted in its mercy to bless a people. I venerate his virtues beyond all expression. But his attention

to our particular circumstances being impossible, we must receive our fate from ministers; and from them I do not like to receive it.

We are not the subjects of ministers; and therefore it is not to be wondered at if they do not feel that tenderness for us that a good prince will always feel for his people. Men are not born ministers; their ambition raised them to authority; and when possessed of it, one established principle with them seems to be never to deviate from a precedent of power.

Did we not find, in the late war, though we exerted ourselves in the most active manner in the defence of his Majesty's dominions and in promoting the service of the Crown, every point in which the proprietors thought fit to make any opposition decided against us? Have we not also found, since the last disturbance of the public peace by our savage enemies, the conduct of the late Governor highly applauded by the ministry for his adherence to those very stipulations now insisted on, and ourselves subjected to the bitterest reproaches only for attempting to avoid the burthens that were thought extremely grievous? Other instances of the like kind I pass over, to avoid a tedious recapitulation.

Since, then, the gale of ministerial favor has in all seasons blown propitious to proprietary interests, why do we now fondly flatter ourselves that

it will suddenly shift its quarter? Why should we, with an amazing credulity, now fly for protection to those men, trust everything to their mercy, and ask the most distinguishing favors from their kindness, from whom we complained, a few months ago, that we could not obtain the most reasonable requests? Surely, Sir, we must acknowledge one of these two things; either that our complaint was then unjust, or that our confidence is now unwarranted. For my part, I look for a rigid perseverance in former measures. With a new government, I expect new disputes. The experience of the royal colonies convinces me that the immediate government of the Crown is not a security for that tranquillity and happiness we promise ourselves from a change. It is needless for me to remind the House of all the frequent and violent controversies that have happened between the King's governors in several provinces and their Assemblies. At this time, if I am rightly informed, Virginia is struggling against an insurrection that will be attended, as that colony apprehends, with the most destructive consequences, if carried into execution.

Indeed, Sir, it seems vain to expect, where the spirit of liberty is maintained among a people, that public contests should not also be maintained. Those who govern, and those who are governed, seldom think they can gain too much on one

another. Power is like the ocean, not easily admitting limits to be fixed on it. It must be in motion. Storms, indeed, are not desirable; but a long dead calm is not to be looked for, perhaps not to be wished for. Let not us then, in expectation of smooth seas and an undisturbed course, too rashly venture our little vessel, that has safely sailed round our own well-known shores, upon the midst of the untried deep, without being first fully convinced that her make is strong enough to bear the weather she may meet with, and that she is well provided for so long and so dangerous a voyage.

No man, Sir, amongst us hath denied, or will deny, that this province must stake on the event of the present attempt liberties that ought to be immortal — liberties founded on the acknowledged rights of human nature, and restrained in our mother country only by an unavoidable necessity of adhering in some measure to long-established customs. Thus has been formed between old errors and hasty innovations an entangled chain that our ancestors either had not moderation or leisure enough to untwist.

I will now briefly enumerate, as well as I can recollect, the particular privileges of Pennsylvania.

In the first place, we here enjoy that best and greatest of all rights, a perfect religious freedom.

Posts of honor and profit are unfettered with

oaths or tests, and, therefore, are open to men whose abilities, strict regard to their conscientious persuasion, and unblemished characters qualify them to discharge their duties with credit to themselves and advantage to their country.

The same wisdom of our laws has guarded against the absurdity of granting greater credit even to villains, if they will swear, than to men of virtue, who from religious motives cannot. Therefore those who are conscientiously scrupulous of taking an oath are admitted as witnesses in criminal cases. Our legislation suffers no checks from a council instituted in fancied imitation of the House of Lords. By the right of sitting on our own adjournments, we are secure of meeting when the public good requires it, and of not being dismissed when private passions demand it. At the same time, the strict discharge of the trust committed to us is inferred by the short duration of our power, which must be renewed by our constituents every year. Nor are the people stripped of all authority in the execution of laws. They enjoy the satisfaction of having some share, by the appointment of provincial commissioners, in laying out the money which they raise, and of being in this manner assured that it is applied to the purposes for which it was granted. They also elect sheriffs and coroners, officers of so much consequence in every

determination that affects honor, liberty, life, and property.

Let any impartial person reflect how contradictory some of these privileges are to the principles of the English Constitution, and how directly opposite others of them are to the settled prerogatives of the Crown; and then consider what probability we have of retaining them on a requested change—that is, of continuing in fact a proprietary government, though we humbly pray the King to change this government into royal. Not unaptly, in my opinion, the connection between the proprietary family and this province may be regarded as a marriage. Our privileges may be called the fruits of that marriage. The domestic peace of this family, it is true, has not been unvexed with quarrels and complaints; but the pledges of their affection ought always to be esteemed, and whenever the parents on an imprudent request shall be divorced, much I fear that their issue will be declared illegitimate. This I am well persuaded of, that surprising must our behavior appear to all men, if, in the instant when we apply to his Majesty for relief from what we think oppression, we should discover a resolute disposition to deprive him of the uncontroverted prerogatives of his royal dignity.

At this period, when the administration is regulating new colonies, and designing, as we are told,

the strictest reformations in the old, it is not likely that they will grant an invidious distinction in our favor. Less likely is it, as that distinction will be liable to so many and such strong constitutional objections, and when we shall have the weight both of the clergy and ministry and the universally received opinions of the people of our mother country to contend with.

I mean not, Sir, the least reflection on the Church of England. I reverence and admire the purity of its doctrine and the moderation of its temper. I am convinced that it is filled with learned and excellent men ; but all zealous persons think their own religious tenets the best, and would willingly see them embraced by others. I therefore apprehend that the dignified and reverend gentlemen of the Church of England will be extremely desirous to have that Church as well secured and as much distinguished as possible in the American colonies ; especially in those colonies where it is overborne, as it were, by Dissenters. There never can be a more critical opportunity for this purpose than the present. The cause of the Church will besides be connected with that of the Crown, to which its principles are thought to be more favorable than those of the other professions.

We have received certain information that the conduct of this province, which has been so much censured by the ministry, is attributed to the in-

fluence of one religious society. We also know that the late tumultuous and riotous proceedings, represented in so strong a light by the petitions now before the House, have been publicly ascribed to the influence of another religious society. Thus the blame of everything disreputable to this province is cast on one or the other of these dissenting sects — circumstances that, I imagine, will neither be forgotten nor neglected.

We have seen the event of our disputes concerning the proprietary interests, and it is not to be expected that our success will be greater when our opponents become more numerous and will have more dignity, more power, and, as they will think, more law on their side.

These are the dangers, Sir, to which we are now about to expose those privileges in which we have hitherto so much gloried. Wherefore? To procure two or three, perhaps four or five hundred pounds a year (for no calculation has carried the sum higher) from the proprietors, for two or three, or four or five years; for so long, and something longer perhaps, the taxes may continue. But are we sure of gaining this point? We are not. Are we sure of gaining any other advantage? We are not. Are we sure of preserving our privileges? We are not. Are we under the necessity of pursuing the measure proposed at this time? We are not.

Here, Sir, permit me to make a short pause. Permit me to appeal to the heart of every member in this House, and to entreat him to reflect how far he can be justifiable in giving his voice thus to hazard the liberties secured to us by the wise founders of this province, peaceably and fully enjoyed by the present age, and to which posterity is so justly entitled.

But, Sir, we are told there is no danger of losing our privileges if our government should be changed, and two arguments are used in support of this opinion. The first is that the government of the Crown is exercised with so much lenity in Carolina and the Jerseys. I cannot perceive the least degree of force in this argument. As to Carolina, I am not a little surprised that it should be mentioned on this occasion, since I never heard of any privileges that colony enjoys, more than the other royal governments in America. The privileges of the Jerseys are of a different nature from many of which we are possessed, and are more consistent with the royal prerogative. Indeed, I know of none they have, except that the people called Quakers may be witnesses in criminal cases and may bear offices. Can this indulgence, shown to them for a particular reason and not contradictory to the rights of the Crown, give us any just cause to expect the confirmation of privileges directly opposite to those

rights, and for confirming which no such reason exists? But, perhaps, the gentlemen who advance this argument mean that we shall purchase a change at a cheap price, if we are only reduced to the same state with the Jerseys? Surely, Sir, if this be their meaning, they entirely forget those extraordinary privileges which some time ago were mentioned.

How many must we in such a case renounce? I apprehend it would prove an argument of little consolation to these gentlemen, if they should lose three-fourths of their estates, to be told that they still remain as rich as their neighbors and have enough to procure all the necessaries of life.

It is somewhat remarkable that this single instance of favor in permitting an affirmation instead of an oath, in a single province, should be urged as so great an encouragement to us, while there are so many examples of another kind to deter us. In what royal government, besides the Jerseys, can one of the people called Quakers be a witness in criminal cases and bear offices? In no other. What can be the reason of this distinction in the Jerseys? Because in the infancy of that colony, when it came under the government of the Crown, there was, as appears from authentic vouchers, an absolute necessity, from the scarcity of other proper persons, to make use of the people called Quakers in public

employments. Is there such a necessity in this province? Or can the ministry be persuaded that there is such a necessity? No, Sir, those from whom they will receive their information will grant no such thing; and therefore I think there is the most imminent danger, in case of a change, that the people of this society will lose the exercise of those rights which, though they are entitled to as men, yet, such is the situation of human affairs, they with difficulty can find a spot on the whole globe where they are allowed to enjoy them. It will be an argument of some force, I am afraid, that the Church of England can never expect to raise its head among us, while we are encouraged, as it will be said, in dissension; but if an oath be made necessary for obtaining offices of honor and profit, it will then be expected that any of the people called Quakers who are tempted to renounce their principles will undoubtedly make an addition to the Established Church.

If any other consideration than that which has been mentioned was regarded in granting that indulgence in the Jerseys, though no other is expressed, it seems not improbable that the nearness of this province might have had some weight, as from its situation it afforded such strong temptations to the inhabitants of the Jerseys to remove hither, had they been treated with any severity.

Their government, in some measure, was formed in imitation of our government; but, when this is altered, the English Constitution must be the model by which it will be formed.

Here it will be said, "This cannot be done but by the Parliament, and will a British Parliament do such an act of injustice as to deprive us of our rights?" This is the second argument used to prove the safety of the measures now proposed.

Certainly the British Parliament will not do what they think an unjust act; but I cannot persuade myself that they will think it unjust to place us on the same footing with themselves. It will not be an easy task to convince them that the people of Pennsylvania ought to be distinguished from all other subjects under his Majesty's immediate government, or that such a distinction can answer any good purpose. May it not be expected that they will say: "No people can be freer than ourselves; everything more than we enjoy is licentiousness, not liberty; any indulgences shown to the colonies heretofore were like the indulgences of parents to their infants; they ought to cease with that tender age; and as the colonies grow up to a more vigorous state, they ought to be carefully disciplined, and all their actions regulated by strict laws. Above all things, it is necessary, that the prerogative should be exercised with its full force in our American provinces to restrain

them within due bounds and secure their dependence on this kingdom."

I am afraid that this will be the opinion of the Parliament, as it has been in every instance the undeviating practice of the ministry.

But, Sir, it may be said: "These reasons are not conclusive; they do not demonstratively prove that our privileges will be endangered by a change." I grant the objection; but what stronger reasons, what clearer proofs, are there that they will not be endangered by a change?

They are safe now; and why should we engage in an enterprise that will render them uncertain? If nothing will content us but a revolution brought about by ourselves, surely we ought to have made the strictest inquiries what terms we may expect, and to have obtained from the ministry some kind of security for the performance of those terms.

These things might have been done. They are not done. If a merchant will venture to travel with great riches into a foreign country, without a proper guide, it certainly will be advisable for him to procure the best intelligence he can get of the climate, the roads, the difficulties he will meet with, and the treatment he may receive.

I pray the House to consider if we have the slightest security that can be mentioned, except opinion (if that is any), either for the preservation of our present privileges or gaining a single

advantage from a change. Have we any writing? have we a verbal promise from any minister of the Crown? We have not. I cannot, therefore, conceal my astonishment that gentlemen should require a less security for the invaluable rights of Pennsylvania than they would demand for a debt of five pounds. Why should we press forward with this unexampled hurry, when no benefit can be derived from it? Why should we have any aversion to deliberation and delay, when no injury can attend them?

It is scarcely possible in the present case that we can spend too much time in forming resolutions, the consequences of which are to be perpetual. If it is true, as some aver, that we can obtain an advantageous change of our government, I suppose it will be also true next week, next month, and next year; but, if they are mistaken, it will be early enough, whenever it happens, to be disappointed and to repent. I am not willing to run risks in a matter of such prodigious importance on the credit of any man's opinion, when by a small delay, that can do no harm, the steps we are to take may become more safe. Gideon, though he had conversed with "an angel of the Lord," would not attempt to relieve his countrymen, then sorely oppressed by the Midianites, lest he should involve them in greater miseries, until he was convinced by two miracles that

he should be successful. I do not say we ought to wait for miracles; but I think we ought to wait for some things which will be next kin to a miracle: I mean some sign of favorable disposition in the ministry towards us. I should like to see an olive leaf, at least, brought to us before we quit our ark.

Permit me, Sir, to make one proposal to the House. We may apply to the Crown now, as freely as if we were under its immediate government. Let us desire his Majesty's judgment on the point that has occasioned this unhappy difference between the two branches of the legislature. This may be done without any violence, without any hazard to our Constitution. We say the justice of our demands is clear as light; every heart must feel the equity of them.

If the decision be in our favor, we gain a considerable victory; the grand obstruction of the public service is removed, and we shall have more leisure to carry our intentions coolly into execution. If the decision be against us, I believe the most zealous of us will grant it would be madness to expect success in any other contest. This will be a single point, and cannot meet with such difficulties as the procuring a total alteration of the government. Therefore, by separating it from other matters, we shall soon obtain a determination to know what chance we have of succeeding in things of greater value. Let us try our

fortune. Let us take a cast or two of the dice for smaller matters before we dip deeply. Few gamesters are of so sanguine a temper as to stake their whole wealth on one desperate throw at first. If we are to play with the public happiness, let us act at least with as much deliberation as if we were betting out of our private purses.

Perhaps a little delay may afford us the pleasure of finding our constituents more unanimous in their opinions on this interesting occasion, and I should choose to see a vast majority of them join with a calm resolution in the measure before I should think myself justifiable in voting for it, even if I approved of it.

The present question is utterly foreign from the purposes for which we were sent into this place. There was not the least probability, at the time we were elected, that this matter could come under our consideration. We are not debating how much money we shall raise, what laws we shall pass for the regulation of property, nor on anything of the same kind that arises in the usual parliamentary course of business. We are now to determine whether a step shall be taken that may produce an entire change of our Constitution.

In forming this determination, one striking reflection should be preserved in our minds: I mean that we are the servants of the people of Pennsylvania,—of that people who have been induced by

the excellence of the present Constitution to settle themselves under its protection.

The inhabitants of remote countries, impelled by that love of liberty which all-wise Providence has planted in the human heart, deserting their native soil, committed themselves, with their helpless families, to the mercy of winds and waves, and braved all the terrors of an unknown wilderness, in hopes of enjoying in these woods the exercise of those invaluable rights which some happy circumstances had denied to mankind in every other part of the earth.

Thus, Sir, the people of Pennsylvania may be said to have purchased an inheritance, in its Constitution, at a prodigious price; and I cannot believe, unless the strongest evidence be offered, that they are now willing to part with that which has cost them so much toil and expense.

They have not hitherto been disappointed in their wishes. They have obtained the blessings they sought for.

We have received these seats by the free choice of this people under this Constitution, and to preserve it in its utmost purity and vigor has always been deemed by me a principal part of the trust committed to my care and fidelity. The measure now proposed has a direct tendency to endanger this Constitution, and, therefore, in my opinion, we have no right to engage in it without the

almost universal consent of the people, expressed in the plainest manner.

I think I should improperly employ the attention of this House if I should take up much time in proving that the deputies of a people have not a right, by any law, divine or human, to change the government under which their authority was delegated to them, without such a consent as has been mentioned. The position is so consonant to natural justice and common sense that I believe it never has been seriously controverted. All the learned authors that I recollect to have mentioned this matter speak of it as an indisputable maxim.

It may be said, perhaps, in answer to this objection, that it is not intended to change the government, but the Governor. This, I apprehend, is a distinction only in words. The government is certainly to be changed from proprietary to royal; and, whatever may be intended, the question is whether such a change will not expose our present privileges to danger.

It may be said that the petitions lying on the table are a proof of the people's consent. Can petitions so industriously carried about, and, after all the pains taken, signed only by about thirty-five hundred persons, be looked on as the plainest expression of the almost universal consent of the many thousands that fill this province? No one can believe it.

It cannot be denied, Sir, that much the greatest part of the inhabitants of this province, and among them men of large fortunes, good sense, and fair characters, who value very highly the interest they have in the present Constitution, have not signed these petitions, and, as there is reason to apprehend, are extremely averse to a change at this time. Will they not complain of such a change? And if it is not attended with all the advantages they now enjoy, will they not have reason to complain? It is not improbable that this measure may lay the foundation of more bitter and more lasting dissensions among us than any we have yet experienced.

Before I close this catalogue of unhappy consequences that I expect will follow our request of a change, I beg leave to take notice of the terms of the petition that is now under the consideration of the House.

They equally excite in my breast surprise, and grief, and terror. This poor province is already sinking under the weight of the discredit and reproaches that by some fatality, for several years past, have attended our public measures; and we not only seize this unfortunate season to engage her in new difficulties, but prepare to pour on her devoted head a load that must effectually crush her. We inform the King, by this petition, that Pennsylvania is become a scene of confusion and

anarchy; that armed mobs are marching from one place to another; that such a spirit of violence and riot prevails as exposes his Majesty's good subjects to constant alarms and danger; that this tumultuous disposition is so general that it cannot be controlled by any powers of the present government, and that we have not any hopes of returning to a state of peace and safety but by being taken under his Majesty's immediate protection.

I cannot think this is a proper representation of the present state of this province. Near four months are elapsed since the last riot, and I do not perceive the least probability of our being troubled with any more. The rioters were not only successfully opposed and prevented from executing their purpose, but we have reason to believe that they were convinced of their error and have renounced all thoughts of such wild attempts for the future. To whose throat is the sword now held? What life will be saved by this application? Imaginary danger! Vain remedy! Have we not sufficiently felt the effects of royal resentment? Is not the authority of the Crown fully enough exercised over us? Does it become us to paint in the strongest colors the follies or the crimes of our countrymen? to require unnecessary protection against men who intend us no injury, in such loose and general expressions as

may produce even the establishment of an armed force among us?

With unremitting vigilance, with undaunted virtue, should a free people watch against the encroachments of power and remove every pretext for its extension.

We are a dependent colony, and we need not doubt that means will be used to secure that dependence. But that we ourselves should furnish a reason for settling a military establishment upon us must exceed the most extravagant wishes of those who would be most pleased with such a measure.

We may introduce the innovation, but we shall not be able to stop its progress. The precedent will be pernicious. If a specious pretence is afforded for maintaining a small body of troops among us now, equally specious pretences will never be wanting hereafter for adding to their numbers. The burthen that will be imposed on us for their support is the most trifling part of the evil. The poison will soon reach our vitals, whatever struggles we may make to expel it.

"Hæret lateri lethalis arundo."

The dart with which we are struck will still remain fixed—too firmly fixed for our feeble hands to draw it out. Our fruitless efforts will but irritate the wound; and at length we must tamely

submit to—I quit a subject too painful to be dwelt upon.

These, Sir, are my sentiments on the petition that has occasioned this debate. I think this neither the proper season, nor the proper method, for obtaining a change of our government. It is uncertain whether the measures proposed will place us in a better situation than we are now in with regard to the point lately controverted; with respect to other particulars, it may place us in a worse. We shall run the risk of suffering great losses. We have no certainty of gaining anything. In seeking a precarious, hasty, violent remedy for the present partial disorder, we are sure of exposing the whole body to danger. I cannot perceive the necessity of applying such a remedy. If I did, I would with the greatest pleasure pass over to the opinion of some gentlemen who differ from me, whose integrity and abilities I so much esteem that, whatever reasons at any time influence me to agree with them, I always receive a satisfaction from being on their side. If I have erred now, I shall comfort myself with reflecting that it is an innocent error. Should the measures pursued in consequence of this debate be opposite to my opinion, and should they procure a change of government, with all the benefits we desire, I shall not envy the praise of others who, by their fortunate courage and skill, have conducted us

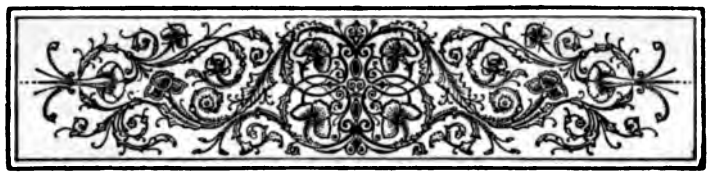
unhurt through the midst of such threatening dangers to the wished-for port. I shall cheerfully submit to the censure of having been too apprehensive of injuring the people of this province. If any severer sentence shall be passed upon me by the worthy, I shall be sorry for it; but this truth I am convinced of, that it will be much easier for me to bear the unmerited reflections of mistaken zeal than the just reproaches of a guilty mind. To have concealed my real sentiments, or to have counterfeited such as I do not entertain, in a deliberation of so much consequence as the present, would have been the basest hypocrisy. It may perhaps be thought that this, however, would have been the most politic part for me to have acted. It might have been so. But if policy requires that our words or actions should belie our hearts, I thank God that I detest and despise all its arts and all its advantages. A good man ought to serve his country, even though she resents his services. The great reward of honest actions is not the fame or profit that follows them, but the consciousness that attends them. To discharge, on this important occasion, the inviolable duty I owe the public, by obeying the unbiassed dictates of my reason and conscience, hath been my sole view; and my only wish now is that the resolutions of this House, whatever they are, may promote the happiness of Pennsylvania.

JOHN HANCOCK

John Hancock was born at Quincy, Mass., in 1737. After graduating at Harvard, he engaged in commercial pursuits with his uncle, who in 1764 bequeathed him a fortune. He was a member of the committee which, after the Boston Massacre, demanded from the Governor that the troops should be removed from the city, and he pronounced a notable oration, both eloquent and bold, over the victims of the outrage. An effort to seize his person and that of Adams resulted in the fight at Concord. Hancock was the first President of the Provincial Congress, and the first to sign the Declaration of Independence, preceding the other signers of that document by a whole month. He was the first Governor of Massachusetts, and was, with but one interval, annually re-elected to fill that post until his death in 1793.

Hancock, judging from the few extant remains of his eloquence, was a remarkably powerful and fluent speaker. He possessed the rare merit of impressing his hearers with his own sincerity and enthusiasm, and of thus swaying them to his will. His oration on the occasion of the Boston Massacre is rightly held as one of the finest specimens of American oratory.

There is no satisfactory biography of Hancock. The histories of his times contain full accounts of his public life.



THE BOSTON MASSACRE

Hancock.

The circumstances of the "Boston Massacre," which formed the theme of the following oration, were briefly these: In 1768 two regiments were, against the protests of the people, stationed in the town of Boston. The soldiers made themselves obnoxious in many ways, and quarrels between them and the inhabitants were frequent. At last, in 1770, a dispute arose between two soldiers and some workmen, and, numbers swelling on both sides, the fracas became serious. It was, however, quelled before great harm was done, but both parties were now thoroughly incensed. A few nights afterward, a sentinel was surrounded by a number of men, who used threatening language. The sentinel called for the guard, which turned out, and immediately, without further provocation, fired on the bystanders, killing Samuel Grey, James Caldwell, and a mulatto named Attucks. This aroused great indignation, and a meeting was held at Faneuil Hall, where it was determined to demand the instant withdrawal of the soldiery —a demand with which it was thought prudent to comply. The anniversary of the "massacre" was celebrated with speeches and demonstrations each year until 1783, when it was discontinued. The following speech was delivered by Hancock on the occasion of the celebration in 1774.

MEN, Brethren, Fathers, and Fellow-Countrymen: The attentive gravity, the venerable appearance of this crowded audience; the dignity which I behold in the countenance of so many in this great assembly; the solemnity of the occasion upon which we have met together, joined to a consideration of the part I am to take in the important business of this day, fill me with an awe hitherto unknown, and heighten the sense which

I have ever had of my unworthiness to fill this sacred desk. But, allured by the call of some of my respected fellow-citizens, with whose request it is always my greatest pleasure to comply, I almost forgot my want of ability to perform what they required. In this situation I find my only support in assuring myself that a generous people will not severely censure what they know was well intended, though its want of merit should prevent their being able to applaud it. And I pray that my sincere attachment to the interest of my country, and the hearty detestation of every design formed against her liberties, may be admitted as some apology for my appearance in this place.

I have always, from my earliest youth, rejoiced in the felicity of my fellow-men; and have ever considered it as the indispensable duty of every member of society to promote, as far as in him lies, the prosperity of every individual, but more especially of the community to which he belongs; and also, as a faithful subject of the State, to use his utmost endeavor to detect, and, having detected, strenuously to oppose, every traitorous plot which its enemies may devise for its destruction. Security to the persons and properties of the governed is so obviously the design and end of civil government that to attempt a logical proof of it would be like burning tapers at noonday to assist the sun in enlightening the world;

and it cannot be either virtuous or honorable to attempt to support a government of which this is not the great and principal basis; and it is to the last degree vicious and infamous to attempt to support a government which manifestly tends to render the persons and properties of the governed insecure. Some boast of being friends to government; I am a friend to righteous government, to a government founded upon the principles of reason and justice; but I glory in publicly avowing my eternal enmity to tyranny. Is the present system, which the British administration have adopted for the government of the colonies, a righteous government — or is it tyranny? Here suffer me to ask (and would to Heaven there could be an answer!) what tenderness, what regard, respect or consideration has Great Britain shown in their late transactions for the security of the persons or properties of the inhabitants of the colonies? Or rather what have they omitted doing to destroy that security? They have declared that they have ever had, and of right ought ever to have, full power to make laws of sufficient validity to bind the colonies in all cases whatever. They have exercised this pretended right by imposing a tax upon us without our consent; and, lest we should show some reluctance at parting with our property, her fleets and armies are sent to enforce their mad pretensions. The town of

Boston, ever faithful to the British Crown, has been invested by a British fleet: the troops of George III. have crossed the wide Atlantic, not to engage an enemy, but to assist a band of traitors in trampling on the rights and liberties of his most loyal subjects in America—those rights and liberties which, as a father, he ought ever to regard, and, as a king, he is bound in honor to defend from violation, even at the risk of his own life.

Let not the history of the illustrious house of Brunswick inform posterity that a king, descended from that glorious monarch, George II., once sent his British subjects to conquer and enslave his subjects in America. But be perpetual infamy entailed upon that villain who dared to advise his master to such execrable measures; for it was easy to foresee the consequences which so naturally followed upon sending troops into America to enforce obedience to Acts of the British Parliament, which neither God nor man ever empowered them to make. It was reasonable to expect that troops, who knew the errand they were sent upon, would treat the people whom they were to subjugate with a cruelty and haughtiness which too often buries the honorable character of a soldier in the disgraceful name of an unfeeling ruffian. The troops, upon their first arrival, took possession of our senate-house and pointed their cannon against the judgment-hall, and even con-

tinued them there whilst the supreme court of judicature for this province was actually sitting to decide upon the lives and fortunes of the King's subjects. Our streets nightly resounded with the noise of riot and debauchery; our peaceful citizens were hourly exposed to shameful insults, and often felt the effect of their violence and outrage. But this was not all: as though they thought it not enough to violate our civil rights, they endeavored to deprive us of the enjoyment of our religious privileges, to vitiate our morals, and thereby render us deserving of destruction. Hence the rude din of arms which broke in upon your solemn devotions in your temples, on that day hallowed by Heaven and set apart by God Himself for His peculiar worship. Hence impious oaths and blasphemies so often tortured your unaccustomed ear. Hence all the arts which idleness and luxury could invent were used to betray our youth of one sex into extravagance and effeminacy, and of the other to infamy and ruin; and did they not succeed but too well? Did not a reverence for religion sensibly decay? Did not our infants almost learn to lisp out curses before they knew their horrid import? Did not our youths forget they were Americans, and, regardless of the admonitions of the wise and aged, servilely copy from their tyrants those vices which finally must overthrow the Empire of Great

Britain? And must I be compelled to acknowledge that even the noblest, fairest part of all lower creation did not entirely escape the cursed snare? When virtue has once erected her throne within the female breast, it is upon so solid a basis that nothing is able to expel the heavenly inhabitant. But have there not been some — few, indeed, I hope,— whose youth and inexperience have rendered them a prey to wretches whom, upon the least reflection, they would have despised and hated as foes to God and their country? I fear there have been some such unhappy instances, or why have I seen an honest father clothed with shame? or why a virtuous mother drowned in tears?

But I forbear, and come reluctantly to the transactions of that dismal night, when in such quick succession we felt the extremes of grief, astonishment, and rage; when Heaven in anger, for a dreadful moment, suffered Hell to take the reins; when Satan with his chosen band opened the sluices of New England's blood, and sacrilegiously polluted our land with the dead bodies of her guiltless sons! Let this sad tale of death never be told without a tear; let not the heaving bosom cease to burn with a manly indignation at the barbarous story, through the long tracts of future time; let every parent tell the shameful story to his listening children until tears of pity glisten in

their eyes and boiling passions shake their tender frames; and whilst the anniversary of that ill-fated night is kept a jubilee in the grim court of pandemonium, let all America join in one common prayer to Heaven that the inhuman, unprovoked murders on the fifth of March, 1770, planned by Hillsborough and a knot of treacherous knaves in Boston, and executed by the cruel hand of Preston and his sanguinary coadjutors, may ever stand in history without a parallel. But what, my countrymen, withheld the ready arm of vengeance from executing instant justice on the vile assassins? Perhaps you feared promiscuous carnage might ensue, and that the innocent might share the fate of those who had performed the infernal deed. But were not all guilty? Were you not too tender of the lives of those who came to fix a yoke on your necks? But I must not too severely blame a fault which great souls only can commit. May that magnificence of spirit which scorns the low pursuits of malice, may that generous compassion which often preserves from ruin even a guilty villain, forever actuate the noble bosom of Americans! But let not the miscreant host vainly imagine that we fear their arms. No! them we despise; we dread nothing but slavery. Death is the creature of a poltroon's brain; 't is immortality to sacrifice ourselves for the salvation of our country. We

fear not death. That gloomy night, the pale-faced moon and the affrighted stars that hurried through the sky can witness that we fear not death. Our hearts, which at the recollection glow with rage that four revolving years have scarcely taught us to restrain, can witness that we fear not death; and happy it is for those who dared to insult us that their naked bones are not now piled up an everlasting monument of Massachusetts' bravery. But they retired, they fled, and in that flight they found their only safety. We then expected that the hand of public justice would soon inflict that punishment upon the murderers which, by the laws of God and man, they had incurred. But let the unbiassed pen of a Robertson, or perhaps of some equally famed American, conduct this trial before the great tribunal of succeeding generations. And though the murderers may escape the just resentment of an enraged people; though drowsy Justice, intoxicated by the poisonous draught prepared for her cup, still nods over her rotten seat; yet be assured such complicated crimes will meet their due reward. Tell me, ye bloody butchers! ye villains high and low! ye wretches who contrived, as well as you who executed, the inhuman deed! do you not feel the goads and stings of conscious guilt pierce through your savage bosoms? Though some of you may think yourselves exalted to a height that

bids defiance to human justice, and others shroud yourselves beneath the mask of hypocrisy, and build your hopes of safety on the low arts of cunning, chicanery, and falsehood, yet do you not sometimes feel the gnawings of that worm which never dies? Do not the injured shades of Maverick, Gray, Caldwell, Attucks, and Carr attend you in your solitary walks—arrest you even in the midst of your debaucheries, and fill even your dreams with terror? But if the unappeased manes of the dead should not disturb their murderers, yet surely even your obdurate hearts must shrink, and your guilty blood must chill within your rigid veins, when you behold the miserable Monk, the wretched victim of your savage cruelty. Observe his tottering knees, which scarce sustain his body; look on his haggard eyes; mark well the deathlike paleness of his fallen cheek; and tell me, does not the sight plant daggers in your souls? Unhappy Monk! cut off, in the gay morn of manhood, from all the joys which sweeten life, doomed to drag on a pitiful existence, without even a hope to taste the pleasure of returning health! Yet, Monk, thou livest not in vain; thou livest a warning to thy country, which sympathizes with thee in thy sufferings; thou livest an affecting, an alarming instance of the unbounded violence which lust of power, assisted by a standing army, can lead a traitor to commit.

For us he bled and now languishes. The wounds by which he is tortured to a lingering death were aimed at our country! Surely the meek-eyed Charity can never behold such sufferings with indifference. Nor can her lenient hand forbear to pour oil and wine into these wounds, and to assuage, at least, what it cannot heal.

Patriotism is ever united with humanity and compassion. This noble affection, which impels us to sacrifice everything dear, even life itself, to our country, involves in it a common sympathy and tenderness for every citizen, and must ever have a particular feeling for one who suffers in a public cause. Thoroughly persuaded of this, I need not add a word to engage your compassion and bounty towards a fellow-citizen who, with long-protracted anguish, falls a victim to the relentless rage of our common enemies.

Ye dark designing knaves, ye murderers, parricides! how dare you tread upon the earth, which has drunk in the blood of slaughtered innocents, shed by your wicked hands! How dare you breathe that air which wafted to the ear of heaven the groans of those who fell a sacrifice to your accursed ambition! But if the laboring earth doth not expand her jaws; if the air you breathe is not commissioned to be the minister of death; yet—hear it and tremble!—the eye of Heaven penetrates the darkest chambers of the soul, traces the

leading clue through all the labyrinths which your industrious folly has devised; and you, however you may have screened yourselves from human eyes, must be arraigned, must lift your hands, red with the blood of those whose death you have procured, at the tremendous bar of God!

But I gladly quit the gloomy theme of death, and leave you to improve the thought of that important day, when our naked souls must stand before that Being from whom nothing can be hid. I would not dwell too long upon the horrid effects which have already followed from quartering regular troops in this town. Let our misfortunes teach posterity to guard against such evils for the future. Standing armies are sometimes (I would by no means say generally, much less universally,) composed of persons who have rendered themselves unfit to live in civil society; who have no other motives of conduct than those which a desire of the present gratification of their passions suggests; who have no property in any country; men who have given up their own liberties, and envy those who enjoy liberty; who are equally indifferent to the glory of a George or a Louis; who, for the addition of one penny a day to their wages, would desert from the Christian Cross and fight under the Crescent of the Turkish sultan. From such men as these, what has not a State to fear? With such as these, usurping Cæsar

passed the Rubicon ; with such as these, he humbled mighty Rome and forced the mistress of the world to own a master in a traitor. These are the men whom sceptred robbers now employ to frustrate the designs of God, and render vain the bounties which His gracious hand pours indiscriminately upon His creatures. By these, the miserable slaves in Turkey, Persia, and many other extensive countries are rendered truly wretched, though their air is salubrious and their soil luxuriously fertile. By these, France and Spain, though blessed by nature with all that administers to the convenience of life, have been reduced to that contemptible state in which they now appear ; and by these, Britain — but if I were possessed of the gift of prophecy, I dare not, except by divine command, unfold the leaves on which the destiny of that once powerful kingdom is inscribed.

But since standing armies are so hurtful to a State, perhaps my countrymen may demand some substitute, some other means of rendering us secure against the incursions of a foreign enemy. But can you be one moment at a loss ? Will not a well-disciplined militia afford you ample security against foreign foes ? We want not courage ; it is discipline alone in which we are exceeded by the most formidable troops that ever trod the earth. Surely our hearts flutter no more at the sound of war than did those of the immortal band

of Persia, the Macedonian phalanx, the invincible Roman legions, the Turkish janissaries, the *gens d'armes* of France, or the well-known grenadiers of Britain. A well-disciplined militia is a safe, an honorable guard to a community like this, whose inhabitants are by nature brave, and are laudably tenacious of that freedom in which they were born. From a well-regulated militia we have nothing to fear; their interest is the same with that of the State. When a country is invaded, the militia are ready to appear in its defence; they march into the field with that fortitude which a consciousness of the justice of their cause inspires; they do not jeopard their lives for a master who considers them only as the instruments of his ambition, and whom they regard only as the daily dispenser of the scanty pittance of bread and water. No, they fight for their houses, their lands, for their wives, their children; for all who claim the tenderest names, and are held dearest in their hearts; they fight *pro aris et focis,* for their liberty, and for themselves, and for their God. And let it not offend, if I say that no militia ever appeared in more flourishing condition than that of this province now doth; and pardon me if I say, of this town in particular. I mean not to boast; I would not excite envy, but manly emulation. We have all one common cause; let it, therefore, be our only contest who shall most contribute to the

security of the liberties of America. And may the same kind Providence which has watched over this country from her infant state still enable us to defeat our enemies. I cannot here forbear noticing the signal manner in which the designs of those who wish not well to us have been discovered. The dark deeds of a treacherous cabal have been brought to public view. You now know the serpents who, whilst cherished in your bosoms, were darting their envenomed stings into the vitals of the Constitution. But the representatives of the people have fixed a mark on these ungrateful monsters, which, though it may not make them so secure as Cain of old, yet renders them at least as infamous. Indeed, it would be affrontive to the tutelar deity of this country ever to despair of saving it from all the snares which human policy can lay.

True it is that the British ministry have annexed a salary to the office of the Governor of this province, to be paid out of a revenue, raised in America, without their consent. They have attempted to render our courts of justice the instruments of extending the authority of the Acts of the British Parliament over this colony by making the judges dependent on the British administration for their support. But this people will never be enslaved with their eyes open. The moment they knew that the Governor was not such a governor as the

charter of the province points out, he lost his power of hurting them. They were alarmed; they suspected him — have guarded against him; and he has found that a wise and brave people, when they know their danger, are fruitful in expedients to escape it.

The courts of judicature, also, so far lost their dignity, by being supposed to be under an undue influence, that our representatives thought it absolutely necessary to resolve that they were bound to declare that they would not receive any other salary beside that which the general court should grant them; and, if they did not make this declaration, that it would be the duty of the House to impeach them.

Great expectations were also formed from the artful scheme of allowing the East India Company to export tea to America upon their own account. This certainly, had it succeeded, would have effected the purpose of the contrivers and satisfied the most sanguine wishes of our adversaries. We soon should have found our trade in the hands of foreigners, and taxes imposed on everything which we consumed; nor would it have been strange if, in a few years, a company in London should have purchased an exclusive right of trading to America. But their plot was soon discovered. The people soon were aware of the poison which, with so much craft and subtlety, had been concealed. Loss

and disgrace ensued; and perhaps this long-concerted masterpiece of policy may issue in the total disuse of tea in this country, which will eventually be the saving of the lives and the estates of thousands. Yet while we rejoice that the adversary has not hitherto prevailed against us, let us by no means put off the harness. Restless malice and disappointed ambition will still suggest new measures to our inveterate enemies. Therefore let us also be ready to take the field whenever danger calls; let us be united and strengthen the hands of each other by promoting a general union among us. Much has been done by the committees of correspondence for this and the other towns of this province towards uniting the inhabitants; let them still go on and prosper. Much has been done by the committees of correspondence for the Houses of Assembly, in this and our sister colonies, for uniting the inhabitants of the whole continent for the security of their common interest. May success ever attend their generous endeavors! But permit me here to suggest a general congress of deputies, from the several Houses of Assembly on the Continent, as the most effectual method of establishing such an union as the present posture of our affairs requires. At such a congress, a firm foundation may be laid for the security of our rights and liberties; a system may be formed for our common safety, by a strict

adherence to which we shall be able to frustrate any attempts to overthrow our Constitution, restore peace and harmony to America, and secure wealth and honor to Great Britain, even against the inclinations of her ministers, whose duty it is to study her welfare; and we shall also free ourselves from those unmannerly pillagers who impudently tell us that they are licensed by an Act of the British Parliament to thrust their dirty hands into the pockets of every American. But I trust the happy time will come when, with the besom of destruction, those noxious vermin will be swept forever from the streets of Boston.

Surely you will never tamely suffer this country to be a den of thieves. Remember, my friends, from whom you sprang. Let not a meanness of spirit, unknown to those whom you boast of as your fathers, excite a thought to the dishonor of your mothers. I conjure you, by all that is dear, by all that is honorable, by all that is sacred, not only that ye pray, but that ye act; that, if necessary, ye fight, and even die, for the prosperity of our Jerusalem. Break in sunder, with noble disdain, the bonds with which the Philistines have bound you. Suffer not yourselves to be betrayed by the soft arts of luxury and effeminacy into the pit digged for your destruction. Despise the glare of wealth. That people who pay greater respect to a wealthy villain than to an

honest, upright man in poverty almost deserve to be enslaved; they plainly show that wealth, however it may be acquired, is, in their esteem, to be preferred to virtue.

But I thank God that America abounds in men who are superior to all temptation, whom nothing can divert from a steady pursuit of the interest of their country, who are at once its ornament and safeguard. And sure I am I should not incur your displeasure if I paid a respect, so justly due, to their much-honored characters in this place. But when I name an Adams, such a numerous host of fellow-patriots rush upon my mind that I fear it would take up too much of your time should I attempt to call over the illustrious roll. But your grateful hearts will point you to the men; and their revered names, in all succeeding times, shall grace the annals of America. From them let us, my friends, take example; from them let us catch the divine enthusiasm, and feel, each for himself, the godlike pleasure of diffusing happiness on all around us; of delivering the oppressed from the iron grasp of tyranny; of changing the hoarse complaints and bitter moans of wretched slaves into those cheerful songs which freedom and contentment must inspire. There is a heartfelt satisfaction in reflecting on our exertions for the public weal, which all the sufferings an enraged tyrant can inflict will never

take away, which the ingratitude and reproaches of those whom we have saved from ruin cannot rob us of. The virtuous asserter of the rights of mankind merits a reward, which even a want of success in his endeavors to save his country—the heaviest misfortune which can befall a genuine patriot—cannot entirely prevent him from receiving.

I have the most animating confidence that the present noble struggle for liberty will terminate gloriously for America. And let us play the man for our God, and for the cities of our God; while we are using the means in our power, let us humbly commit our righteous cause to the great Lord of the universe, who loveth righteousness and hateth iniquity. And, having secured the approbation of our hearts by a faithful and unwearied discharge of our duty to our country, let us joyfully leave our concerns in the hands of Him who raiseth up and pulleth down the empires and kingdoms of the world as He pleases; and with cheerful submission to His sovereign will, devoutly say, "Although the fig-tree shall not blossom, neither shall fruit be in the vines; the labor of the olive shall fail, and the field shall yield no meat; the flock shall be cut off from the fold, and there shall be no herd in the stalls; yet we will rejoice in the Lord, we will joy in the God of our salvation."

JOSEPH WARREN

Joseph Warren was born at Roxbury, Mass., in 1741. He was a graduate of Harvard in 1759, and in 1764 began the practice of medicine in Boston. On the second anniversary of the Boston Massacre, Warren took the place of Samuel Adams as the orator of the occasion, and so well did he acquit himself that he at once became prominent. He was chairman of the committee appointed to oppose Gage's intended fortification of Boston harbor, and in 1774 was elected president of the Massachusetts Congress, as well as being chairman of the committee of public safety. He was foremost in the combat at Lexington, and in June, 1775, was commissioned major-general. Although he was opposed to the occupying of Bunker Hill by the American forces, he took part in the fight as a volunteer, having refused the chief command, and in striving to rally the retreating Continentals he was killed by a bullet in his forehead.

Warren was a speaker of a style already growing antiquated in his day, yet which was effective when well sustained. He mingled the classical with the modern, and welded the past to the present. Yet he was a popular speaker, and did not want for moments of true eloquence.

The best biography of Warren is that of Richard Frothingham, entitled the *Life and Times of Joseph Warren* (Boston, 1865). His chief speeches are to be found in most of the collections of American oratory.

THE BOSTON MASSACRE

Warren.

The following speech was delivered at Boston in 1775, on the occasion of the fifth commemoration of the outrage known as the "Boston Massacre." (See note to speech by Hancock.) The time of actual collision between colony and mother country was drawing very near, and Warren's boldness of speech was not calculated to allay the popular resentment or to render him *persona grata* to the British authorities. The speech is couched in a tone which struck a responsive chord in the heart of the people, and from that day Warren's fame as an orator was sealed.

MY Ever Honored Fellow-Citizens: It is not without the most humiliating conviction of my want of ability that I now appear before you; but the sense I have of the obligation I am under to obey the calls of my country at all times, together with an animating recollection of your indulgence, exhibited upon so many occasions, has induced me once more, undeserving as I am, to throw myself upon that candor which looks with kindness on the feeblest efforts of an honest mind.

You will not now expect the elegance, the learning, the fire, the enrapturing strains of eloquence, which charmed you when a Lovell, a Church, or a Hancock spake; but you will permit me to say

that, with a sincerity equal to theirs, I mourn over my bleeding country. With them I weep at her distress, and with them deeply resent the many injuries she has received from the hands of cruel and unreasonable men.

That personal freedom is the natural right of every man, and that property, or an exclusive right to dispose of what he has honestly acquired by his own labor, necessarily arises therefrom, are truths which common sense has placed beyond the reach of contradiction. And no man or body of men can, without being guilty of flagrant injustice, claim a right to dispose of the persons or acquisitions of any other man or body of men, unless it can be proved that such a right has arisen from some compact between the parties, in which it has been explicitly and freely granted.

If I may be indulged in taking a retrospective view of the first settlement of our country, it will be easy to determine with what degree of justice the late Parliament of Great Britain have assumed the power of giving away that property which the Americans have earned by their labor.

Our fathers, having nobly resolved never to wear the yoke of despotism, and seeing the European world, at that time, through indolence and cowardice, falling a prey to tyranny, bravely threw themselves upon the bosom of the ocean, determined to find a place in which they might enjoy

their freedom, or perish in the glorious attempt. Approving Heaven beheld the favored ark dancing upon the waves, and graciously preserved it until the chosen families were brought in safety to these western regions. They found the land swarming with savages, who threatened death with every kind of torture. But savages, and death with torture, were far less terrible than slavery. Nothing was so much the object of their abhorrence as a tyrant's power. They knew it was more safe to dwell with man in his most unpolished state than in a country where arbitrary power prevails. Even anarchy itself, that bugbear held up by the tools of power, (though truly to be deprecated,) is infinitely less dangerous to mankind than arbitrary government. Anarchy can be but of a short duration; for, when men are at liberty to pursue that course which is more conducive to their own happiness, they will soon come into it; and from the rudest state of nature order and good government must soon arise. But tyranny, when once established, entails its curses on a nation to the latest period of time; unless some daring genius, inspired by Heaven, shall, unappalled by danger, bravely form and execute the arduous designs of restoring liberty and life to his enslaved, murdered country.

The tools of power, in every age, have racked their inventions to justify the few in sporting with the happiness of the many; and, having found

their sophistry too weak to hold mankind in bondage, have impiously dared to force Religion, the daughter of the King of Heaven, to become a prostitute in the service of hell. They taught that princes, honored with the name of Christian, might bid defiance to the Founder of their faith, might pillage pagan countries and deluge them with blood, only because they boasted themselves to be the disciples of that Teacher who strictly charged His followers to do to others as they would that others should do unto them.

This country, having been discovered by an English subject, in the year 1620, was (according to the system which the blind superstition of those times supported) deemed the property of the Crown of England. Our ancestors, when they resolved to quit their native soil, obtained from King James a grant of certain lands in North America. This they probably did to silence the cavils of their enemies, for it cannot be doubted that they despised the pretended right which he claimed thereto. Certain it is that he might with equal propriety and justice have made them a grant of the planet Jupiter. And their subsequent conduct plainly shows that they were too well acquainted with humanity and the principles of natural equity to suppose that the grant gave them any right to take possession; they therefore entered into a treaty with the natives, and bought from them the lands. Nor have

I ever yet obtained any information that our ancestors ever pleaded, or that the natives ever regarded, the grant from the English Crown: the business was transacted by the parties in the same independent manner that it would have been had neither of them ever known or heard of the island of Great Britain.

Having become the honest proprietors of the soil, they immediately applied themselves to the cultivation of it; and they soon beheld the virgin earth teeming with richest fruits, a grateful recompense for their unwearied toil. The fields began to wave with ripening harvests, and the late barren wilderness was seen to blossom like the rose. The savage natives saw, with wonder, the delightful change, and quickly formed a scheme to obtain that by fraud or force which nature meant as the reward for industry alone. But the illustrious emigrants soon convinced the rude invaders that they were not less ready to take the field for battle than for labor; and the insidious foe was driven from their borders as often as he ventured to disturb them. The Crown of England looked with indifference on the contest; our ancestors were left alone to combat with the natives. Nor is there any reason to believe that it ever was intended by the one party, or expected by the other, that the grantor should defend and maintain the grantees in the peaceable possession of the lands named in

the patents. And it appears plainly, from the history of those times, that neither the prince nor the people of England thought themselves much interested in the matter. They had not then any idea of a thousandth part of those advantages which they since have, and we are most heartily willing they should still continue to reap from us.

But when, at an infinite expense of toil and blood, this widely extended continent had been cultivated and defended; when the hardy adventurers justly expected that they and their descendants should peaceably have enjoyed the harvest of those fields which they had sown, and the fruit of those vineyards which they had planted; this country was then thought worthy the attention of the British ministry; and the only justifiable and only successful means of rendering the colonies serviceable to Britain were adopted. By an intercourse of friendly offices, the two countries became so united in affection that they thought not of any distinct or separate interests; they found both countries flourishing and happy. Britain saw her commerce extended and her wealth increased; her lands raised to an immense value; her fleets riding triumphant on the ocean; the terror of her arms spreading to every quarter of the globe. The colonist found himself free, and thought himself secure; he dwelt under his own vine and under his own fig-tree, and had none to make him afraid. He

knew, indeed, that by purchasing the manufactures of Great Britain he contributed to its greatness; he knew that all the wealth that his labor produced centred in Great Britain. But that, far from exciting his envy, filled him with the highest pleasure; that thought supported him in all his toils. When the business of the day was past, he solaced himself with the contemplation, or perhaps entertained his listening family with the recital of some great, some glorious transaction, which shines conspicuous in the history of Britain; or, perhaps, his elevated fancy led him to foretell, with a kind of enthusiastic confidence, the glory, power, and duration of an empire which should extend from one end of the earth to the other. He saw, or thought he saw, the British nation risen to a pitch of grandeur which cast a veil over the Roman glory, and, ravished with the preview, boasted a race of British kings whose names should echo through those realms where Cyrus, Alexander, and the Cæsars are unknown—princes for whom millions of grateful subjects redeemed from slavery and pagan ignorance should, with thankful tongues, offer up their prayers and praises to that transcendently great and beneficent Being, "by whom kings reign and princes decree justice."

These pleasing connections might have continued; these delightsome prospects might have been every day extended; and even the reveries of the

most warm imaginations might have been realized; but, unhappily for us, unhappily for Britain, the madness of an avaricious minister of state has drawn a sable curtain over the charming scene, and in its stead has brought upon the stage discord, envy, hatred, and revenge, with civil war close in their rear.

Some demon, in an evil hour, suggested to a short-sighted financier the hateful project of transferring the whole property of the King's subjects in America to his subjects in Britain. The claim of the British Parliament to tax the colonies can never be supported by such a transfer; for the right of the House of Commons of Great Britain to originate any tax or grant money is altogether derived from their being elected by the people of Great Britain to act for them; and the people of Great Britain cannot confer on their representatives a right to give or grant anything which they themselves have not a right to give or grant personally. Therefore it follows that if the members chosen by the people of Great Britain to represent them in Parliament have, by virtue of their being chosen, any right to give or grant American property, or to lay any tax upon the lands or persons of the colonists, it is because the lands and people in the colonies are *bona fide* owned by and justly belonging to the people of Great Britain. But (as has been before observed) every man has a right to

personal freedom; consequently a right to enjoy what is acquired by his own labor. And it is evident that the property in this country has been acquired by our own labor; it is the duty of the people of Great Britain to produce some compact in which we have explicitly given up to them a right to dispose of our persons or property. Until this is done, every attempt of theirs, or of those whom they have deputed to act for them, to give or grant any part of our property is directly repugnant to every principle of reason and natural justice. But I may boldly say that such a compact never existed; no, not even in imagination. Nevertheless, the representatives of a nation long famed for justice and the exercise of every noble virtue have been prevailed upon to adopt the fatal scheme; and although the dreadful consequences of this wicked policy have already shaken the empire to its centre, yet still it is persisted in. Regardless of the voice of reason, deaf to the prayers and supplications, and unaffected by the flowing tears of suffering millions, the British ministry still hug their darling idol; and every rolling year affords fresh instances of the absurd devotion with which they worship it. Alas! how has the folly, the distraction of the British councils blasted our swelling hopes and spread a gloom over this western hemisphere!

The hearts of Britons and Americans, which lately

felt the generous glow of mutual confidence and love, now burn with jealousy and rage. Though but of yesterday, I recollect (deeply affected at the ill-boding change) the happy hours that passed whilst Britain and America rejoiced in the prosperity and greatness of each other. Heaven grant those halcyon days may soon return! But now the Briton too often looks on the American with an envious eye, taught to consider his just plea for the enjoyment of his earnings as the effect of pride and stubborn opposition to the parent country; whilst the American beholds the Briton as the ruffian, ready first to take away his property, and next, what is still dearer to every virtuous man, the liberty of his country.

When the measures of administration had disgusted the colonies to the highest degree, and the people of Great Britain had, by artifice and falsehood, been irritated against America, an army was sent over to enforce submission to certain Acts of the British Parliament, which reason scorned to countenance, and which placemen and pensioners were found unable to support.

Martial law and the government of a well-regulated city are so entirely different that it has always been considered as improper to quarter troops in populous cities; frequent disputes must necessarily arise between the citizen and the soldier, even if no previous animosities subsist. And it is further

certain, from a consideration of the nature of mankind as well as from constant experience, that standing armies always endanger the liberty of the subject. But when the people, on the one part, considered the army as sent to enslave them, and the army, on the other, were taught to look on the people as in a state of rebellion, it was but just to fear the most disagreeable consequences. Our fears, we have seen, were but too well grounded.

The many injuries offered to the town I pass over in silence. I cannot now mark out the path which led to that unequalled scene of horror, the sad remembrance of which takes full possession of my soul. The sanguinary theatre again opens itself to view. The baleful images of terror crowd around me; and discontented ghosts, with hollow groans, appear to solemnize the anniversary of the fifth of March.

Approach we then the melancholy walk of death. Hither let me call the gay companion; here let him drop a farewell tear upon that body which so late he saw vigorous and warm with social mirth; hither let me lead the tender mother to weep over her beloved son — come, widowed mourner, here satiate thy grief; behold thy murdered husband gasping on the ground; and, to complete the pompous show of wretchedness, bring in each hand thy infant children to bewail

their father's fate — take heed, ye orphan babes, lest, whilst your streaming eyes are fixed upon the ghastly corpse, your feet slide on the stones bespattered with your father's brains! Enough! this tragedy need not be heightened by an infant weltering in the blood of him that gave it birth. Nature, reluctant, shrinks already from the view, and the chilled blood rolls slowly backward to its fountain. We wildly stare about, and with amazement ask who spread the ruin around us? What wretch has dared deface the image of his God? Has haughty France, or cruel Spain, sent forth her myrmidons? Has the grim savage rushed again from the far-distant wilderness? or does some fiend, fierce from the depth of hell, with all the rancorous malice which the apostate damned can feel, twang her destructive bow and hurl her deadly arrows at our breast? No, none of these — but, how astonishing! it is the hand of Britain that inflicts the wound! The arms of George, our rightful king, have been employed to shed that blood, when justice, or the honor of his crown, had called his subjects to the field.

But pity, grief, astonishment, with all the softer movements of the soul, must now give way to stronger passions. Say, fellow-citizens, what dreadful thought now swells your heaving bosoms? you fly to arms — sharp indignation flashes from your eyes — Revenge gnashes her iron teeth—

Death grins a hideous smile, secure to drench his greedy jaws in human gore — whilst hovering Furies darken all the air!

But stop, my bold, adventurous countrymen; stain not your weapons with the blood of Britons. Attend to Reason's voice; Humanity puts in her claim, and sues to be again admitted to her wonted seat, the bosom of the brave. Revenge is far beneath the noble mind. Many, perhaps, compelled to rank among the vile assassins, do from their inmost souls detest the barbarous action. The winged death, shot from your arms, may chance to pierce some breast that bleeds already for your injured country.

The storm subsides — a solemn pause ensues — you spare, upon condition they depart. They go — they quit your city — they no more shall give offence. Thus closes the important drama.

And could it have been conceived that we again should have seen a British army in our land, sent to enforce obedience to Acts of Parliament destructive of our liberty? But the royal ear, far distant from this western world, has been assaulted by the tongue of slander; and villains, traitorous alike to king and country, have prevailed upon a gracious prince to clothe his countenance with wrath, and to erect the hostile banner against a people ever affectionate and loyal to him and his illustrious predecessors of the House of Hanover. Our streets

are again filled with armed men; our harbor is crowded with ships of war. But these cannot intimidate us; our liberty must be preserved; it is far dearer than life—we hold it even dear as our allegiance; we must defend it against the attacks of friends as well as enemies; we cannot suffer even Britons to ravish it from us.

No longer could we reflect with generous pride on the heroic actions of our American forefathers —no longer boast our origin from that far-famed island, whose warlike sons have so often drawn their well-tried swords to save her from the ravages of tyranny—could we, but for a moment, entertain the thought of giving up our liberty. The man who meanly will submit to wear a shackle contemns the noblest gift of Heaven, and impiously affronts the God that made him free.

It was a maxim of the Roman people, which eminently conduced to the greatness of that State, never to despair of the Commonwealth. The maxim may prove as salutary to us now as it did to them. Short-sighted mortals see not the numerous links of small and great events, which form the chain on which the fate of kings and nations is suspended. Ease and prosperity, though pleasing for a day, have often sunk a people into effeminacy and sloth. Hardships and dangers, though we forever strive to shun them, have frequently called forth such virtues as have com-

manded the applause and reverence of an admiring world. Our country loudly calls you to be circumspect, vigilant, active, and brave. Perhaps (allgracious Heaven avert it!) perhaps the power of Britain, a nation great in war, by some malignant influence may be employed to enslave you; but let not even this discourage you. Her arms, 't is true, have filled the world with terror; her troops have reaped the laurels of the field; her fleets have rode triumphant on the sea; and when, or where, did you, my countrymen, depart inglorious from the field of fight? You too can show the trophies of your forefathers' victories and your own—can name the fortresses and battles you have won; and many of you count the honorable scars of wounds received whilst fighting for your king and country.

Where justice is the standard, Heaven is the warrior's shield; but conscious guilt unnerves the arm that lifts the sword against the innocent. Britain, united with these colonies by commerce and affection, by interest and blood, may mock the threats of France and Spain, may be the seat of universal empire. But should America, either by force or those more dangerous engines, luxury and corruption, ever be brought into a state of vassalage, Britain must lose her freedom also. No longer shall she sit the empress of the sea; her ships no more shall waft her thunders over the wide ocean;

the wreath shall wither on her temple; her weakened arm shall be unable to defend her coasts; and she, at last, must bow her venerable head to some proud foreigner's despotic rule.

But if from past events we may venture to form a judgment of the future, we justly may expect that the devices of our enemies will but increase the triumphs of our country. I must indulge a hope that Britain's liberty, as well as ours, will eventually be preserved by the virtue of America.

The attempt of the British Parliament to raise a revenue from America, and our denial of their right to do it, have excited an almost universal inquiry into the right of mankind in general, and of British subjects in particular; the necessary result of which must be such a liberality of sentiment and such a jealousy of those in power as will, better than an adamantine wall, secure us against the future approaches of despotism.

The malice of the Boston Port Bill has been defeated, in a very considerable degree, by giving you an opportunity of deserving, and our brethren in this and our sister colonies an opportunity of bestowing, those benefactions which have delighted your friends and astonished your enemies, not only in America, but in Europe also. And what is more valuable still, the sympathetic feelings for a brother in distress, and the grateful emotions excited in the breast of him who finds relief, must

forever endear each to the other, and form those indissoluble bonds of friendship and affection on which the preservation of our rights so evidently depends.

The mutilation of our charter has made every other colony jealous for its own; for this, if once submitted to by us, would set on float the property and government of every British settlement upon the continent. If charters are not deemed sacred, how miserably precarious is everything founded upon them!

Even the sending of troops to put these Acts in execution is not without advantage to us. The exactness and beauty of their discipline inspire our youth with ardor in the pursuit of military knowledge. Charles the Invincible taught Peter the Great the art of war. The battle of Pultowa convinced Charles of the proficiency Peter had made.

Our country is in danger, but not to be despaired of. Our enemies are numerous and powerful; but we have many friends, determining to be free, and Heaven and earth will aid the resolution. On you depend the fortunes of America. You are to decide the important questions on which rest the happiness and liberty of millions yet unborn. Act worthy of yourselves. The faltering tongue of hoary age calls on you to support your country. The lisping infant raises

its suppliant hands, imploring defence against the monster, slavery. Your fathers look from their celestial seats with smiling approbation on their sons who boldly stand forth in the cause of virtue; but sternly frown upon the inhuman miscreant who, to secure the loaves and fishes to himself, would breed a serpent to destroy his children.

But pardon me, my fellow-citizens; I know you want not zeal or fortitude. You will maintain your rights, or perish in the generous struggle. However difficult the combat, you never will decline it when freedom is the prize. An independence of Great Britain is not our aim. No; our wish is that Britain and the colonies may, like the oak and ivy, grow and increase in strength together. But whilst the infatuated plan of making one part of the empire slaves to the other is persisted in, the interests and safety of Britain as well as the colonies require that the wise measures recommended by the honorable the Continental Congress be steadily pursued; whereby the unnatural contest between a parent honored and a child beloved may probably be brought to such an issue that the peace and happiness of both may be established upon a lasting basis. But if these pacific measures are ineffectual and it appears that the only way to safety is through fields of blood, I know you will not turn your faces from your foes, but will undauntedly press

forward until tyranny is trodden under foot, and you have fixed your adored goddess, Liberty, fast by a Brunswick's side, on the American throne.

You then, who have nobly espoused your country's cause, who generously have sacrificed wealth and ease: who have despised the pomp and show of tinselled greatness, refused the summons to the festive board, been deaf to the alluring calls of luxury and mirth: who have forsaken the downy pillow, to keep your vigils by the midnight lamp for the salvation of your invaded country, that you might break the fowler's snare and disappoint the vulture of his prey—you then will reap that harvest of renown which you so justly have deserved. Your country shall pay her grateful tribute of applause. Even the children of your most inveterate enemies, ashamed to tell from whom they sprang, while they, in secret, curse their stupid, cruel parents, shall join the general voice of gratitude to those who broke the fetters which their fathers forged.

Having redeemed your country, and secured the blessing to future generations, who, fired by your example, shall emulate your virtues and learn from you the heavenly art of making millions happy; with grateful joy, with transports all your own, you cry, the glorious work is done; then drop the mantle to some young Elisha, and take your seats with kindred spirits in your native skies.

PATRICK HENRY

Patrick Henry was born in Virginia in 1736. As a boy he was idle and unpromising, and as a business man was shiftless and unsuccessful. He failed at trade and farming, and then determined to practise law. For several years he struggled on in poverty, until he chanced to be engaged to conduct the defence in the "cause of the parsons," other more experienced advocates having refused the brief. When the case was tried his exordium was rambling and ineffective, but suddenly he seemed to become a changed man, and he poured forth a fire of withering invective such as had been seldom heard. At the conclusion of the trial the audience bore him in triumph on their shoulders, and he suddenly took rank among the foremost of the orators of his time. In 1765 he became a member of the House of Burgesses, and his brilliant and bold denunciation of the Stamp Act sealed his fame. In 1775 he was a member of the Richmond Convention, and his great speech on that occasion was quoted throughout the length and breadth of the land. He was appointed commander of the State forces, but resigned after brief service. In 1776 he was chosen Governor of Virginia, and he took an active part in the proceedings of the convention of that year on the subject of independence. During the war he served in the Legislature, and at the close of hostilities was again elected Governor. He served until 1786, when he finally resigned. He was prominent in the convention to ratify the Federal Constitution, vigorously opposing the measure, but was defeated by the National party. In 1795 he was offered the position of Secretary of State, but declined. He also declined the French mission under President Adams, and the nomination for the Governorship in 1796. In 1799 he was elected to the State senate, but died before taking his seat.

Henry was an orator of the first rank, his chief characteristic

being enthusiasm. He possessed the power of exciting his hearers almost to frenzy, and the wild sweep of his eloquence carried all before it. He was less effective in measured debate than in moments of crisis, but was on the whole entitled to rank among the very greatest of American orators.

Wirt's *Life of Patrick Henry* is admirable as a piece of literature, but is not altogether reliable. Perhaps the best biography is the *Life of Patrick Henry,* by Tyler (1887).

BEFORE CONVENTION OF DELEGATES

Henry.

The circumstances and occasion of Patrick Henry's great speech urging armed resistance to oppression are too well known to call for description. The speech was delivered on March 28, 1775, and is a noble specimen of fervid and impassioned eloquence, born of fearless patriotism.

MR. PRESIDENT :—No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the House. But different men often see the same subject in different lights ; and, therefore, I hope that it will not be thought disrespectful to those gentlemen if, entertaining as I do opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the House is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery ; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth and fulfil the great responsibility which we hold to God and our

reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to win back our love? Let us not deceive ourselves, Sir. These are the implements of war and subjugation—the last arguments to which kings resort. I ask gentlemen, Sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motives for it? Has Great Britain any enemy in this quarter of the world to call for all this accumulation of navies and armies? No, Sir, she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer on the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find which have not been already exhausted? Let us not, I beseech you, Sir, deceive ourselves longer. Sir, we have done everything that could be done to avert the

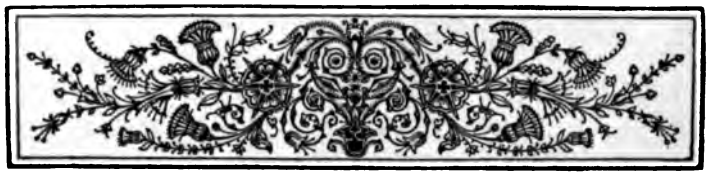
storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the Throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned with contempt from the foot of the Throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer room for hope. If we wish to be free — if we mean to preserve inviolate those inestimable privileges for which we have been so long contending — if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained, we must fight! I repeat it, Sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, Sir, that we are weak; unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the

means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of the means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, Sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, Sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, Sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat but in submission and slavery! Our chains are forged; their clanking may be heard on the plains of Boston! The war is inevitable; and let it come! I repeat it, Sir, let it come!

It is in vain, Sir, to extenuate the matter. Gentlemen may cry Peace! peace! but there is no peace. The war is actually begun. The next gale that sweeps from the North will bring to our ears the clash of resounding arms. Our brethren are already in the field; why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as

to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take take; but as for me, give me liberty, or give me death!



THE FEDERAL CONSTITUTION

[Selection.] *Henry.*

The following speech was delivered in the Virginia convention called for the purpose of considering the ratification of the Federal Constitution. At the time of the delivery of this speech, the Preamble and first two sections of the first article of the Constitution were under consideration. Henry was a staunch opponent of ratification, believing that it would be fatal to State rights, of which theory he was an upholder. But in Edmund Randolph he met a foeman worthy of his steel, and the battle between the old and young gladiators was of intense interest. The contest was for long doubtful, but Randolph finally triumphed. The speech selected is an excellent example of Henry's style in unimpassioned debate. This was not his best style ; but he was great even in this. The date of the speech was June 4, 1788.

MR. CHAIRMAN: I am much obliged to the very worthy gentleman for his encomium. I wish I were possessed of talents, or possessed of anything, that might enable me to elucidate this great subject. I am not free from suspicion ; I am apt to entertain doubts ; I rose yesterday to ask a question which arose in my own mind. When I asked that question, I thought the meaning of my interrogation was obvious : the fate of this question and of America may depend on this. Have they said "We, the States"? Have they made a proposal of a compact between States ? If they had,

this would be a confederation: it is otherwise most clearly a consolidated government. The whole question turns, Sir, on that poor little thing — the expression "We, the People," instead of the States of America. I need not take much pains to show that the principles of this system are extremely pernicious, impolitic, and dangerous. Is this a monarchy, like England—a compact between prince and people, with checks on the former to secure the liberty of the latter? Is this a confederacy, like Holland — an association of a number of independent States, each of which retains its individual sovereignty? It is not a democracy, wherein the people retain all their rights securely. Had these principles been adhered to, we should not have been brought to this alarming transition from a confederacy to a consolidated government. We have no detail of those great considerations which, in my opinion, ought to have abounded before we should recur to a government of this kind. Here is a revolution as radical as that which separated us from Great Britain. It is as radical if, in this transition, our rights and privileges are endangered and the sovereignty of the States relinquished. And cannot we plainly see that this is actually the case? The rights of conscience, trial by jury, liberty of the press, all your immunities and franchises, all pretensions to human rights and privileges, are rendered insecure, if not lost, by this change, so

loudly talked of by some, and inconsiderately by others. Is this tame relinquishment of rights worthy of freemen? Is it worthy of that manly fortitude that ought to characterize republicans? It is said eight States have adopted this plan. I declare that if twelve States and a half had adopted it, I would with manly firmness, and in spite of an erring world, reject it. You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured; for liberty ought to be the direct end of your government. Having premised these things, I shall, with the aid of my judgment and information, which I confess are not extensive, go into the discussion of this system more minutely.

Is it necessary for your liberty that you should abandon those great rights by the adoption of this system? Is the relinquishment of trial by jury and the liberty of the press necessary for your liberty? Liberty, the greatest of all earthly blessings—give us that precious jewel, and you may take everything else. But I am fearful I have lived long enough to become an old-fashioned fellow. Perhaps an invincible attachment to the dearest rights of man may, in these refined, enlightened days, be deemed old-fashioned; if so, I am contented to be so. I say, the time has been when every pulse of my heart beat for American liberty, and

which, I believe, had a counterpart in the breast of every true American. But suspicions have gone forth—suspicions of my integrity. It has been publicly reported that my professions are not real. Twenty-three years ago I was supposed a traitor to my country; I was then said to be a bone of sedition, because I supported the rights of my country. I may be thought suspicious, when I say our privileges and rights are in danger; but, Sir, a number of the people of this country are weak enough to think these things are too true. I am happy to find that the gentlemen on the other side declare they are groundless: but Sir, suspicion is a virtue, as long as its object is the preservation of the public good, and as long as it stays within proper bounds; should it fall on me, I am contented; conscious rectitude is a powerful consolation; I trust there are many who think my professions for the public good to be real. Let your suspicion look to both sides; there are many on the other side, who, possibly, may have been persuaded of the necessity of these measures which I conceive to be dangerous to your liberty. Guard with jealous attention the public liberty. Suspect every one who approaches that jewel. Unfortunately, nothing will preserve it but downright force. Whenever you give up that force, you are inevitably ruined. I am answered by gentlemen that, though I may speak of terrors, yet the fact is

that we are surrounded by none of the dangers I apprehend. I conceive this new government to be one of those dangers; it has produced those horrors which distress many of our best citizens. We are come hither to preserve the poor Commonwealth of Virginia, if it can be possibly done; something must be done to preserve your liberty and mine. The confederation, this same despised government, merits, in my opinion, the highest encomium; it carried us through a long and dangerous war; it rendered us victorious in that bloody conflict with a powerful nation; it has secured us a territory greater than any European monarch possesses; and shall a government which has been thus strong and vigorous be accused of imbecility, and abandoned for want of energy? Consider what you are about to do, before you part with this government. Take longer time in reckoning things. Revolutions like this have happened in almost every country in Europe; similar examples are to be found in ancient Greece and ancient Rome — instances of the people losing their liberty by their own carelessness and the ambition of a few. We are cautioned by the honorable gentleman who presides against faction and turbulence. I acknowledge that licentiousness is dangerous, and that it ought to be provided against; I acknowledge also the new form of government may effectually prevent it; yet there is another

thing it will as effectually do: it will oppress and ruin the people. There are sufficient guards placed against sedition and licentiousness; for when power is given to this government to suppress these, or for any other purpose, the language it assumes is clear, express, and unequivocal; but when this Constitution speaks of privileges, there is an ambiguity, Sir, a fatal ambiguity—an ambiguity which is very astonishing. In the clause under consideration there is the strangest language that I can conceive. I mean, when it says that there shall not be more representatives than one for every thirty thousand. Now, Sir, how easy is it to evade this privilege? "The number shall not exceed one for every thirty thousand." This may be satisfied by one representative from each State. Let our number be ever so great, this immense continent may, by this artful expression, be reduced to have but thirteen representatives. I confess this construction is not natural; but the ambiguity of the expression lays a good ground for a quarrel. Why was it not clearly and unequivocally expressed that they should be entitled to have one for every thirty thousand? This would have obviated all disputes; and was this difficult to be done? What is the inference? When population increases and a State shall send representatives in this proportion, Congress may remand them, because the right of having one for every thirty thousand is not

clearly expressed. This possibility of reducing the number to one for each State approximates to probability by that other expression, "but each State shall at least have one representative." Now is it not clear that, from the first expression, the number might be reduced so much that some States should have no representative at all, were it not for the insertion of this last expression? And as this is the only restriction upon them, we may fairly conclude that they may restrain the number to one from each State. Perhaps the same horrors may hang over my mind again. I shall be told I am continually afraid; but Sir, I have strong cause of apprehension. In some parts of the plan before you, the great rights of freedom are endangered, in other parts absolutely taken away. How does your trial by jury stand? In civil cases gone—not sufficiently secured in criminal—this best privilege is gone. But we are told that we need not fear, because those in power, being our representatives, will not abuse the powers we put in their hands. I am not well versed in history, but I will submit to your recollection whether liberty has been destroyed most often by the licentiousness of the people or by the tyranny of rulers. I imagine, Sir, you will find the balance on the side of tyranny. Happy will you be if you miss the fate of those nations who, omitting to resist their oppressors, or negligently suffering their liberty to be wrested

from them, have groaned under intolerable despotism! Most of the human race are now in this deplorable condition. And those nations who have gone in search of grandeur, power, and splendor have also fallen a sacrifice and been the victims of their own folly. While they acquired those visionary blessings, they lost their freedom. My great objection to this government is that it does not leave us the means of defending our rights or of waging war against tyrants. It is urged by some gentlemen that this new plan will bring us an acquisition of strength: an army, and the militia of the States. This is an idea extremely ridiculous; gentlemen cannot be in earnest. This acquisition will trample on your fallen liberty. Let my beloved Americans guard against that fatal lethargy that has pervaded the universe. Have we the means of resisting disciplined armies, when our only defence, the militia, is put into the hands of Congress?

The honorable gentleman said that great danger would ensue if the convention rose without adopting this system. I ask, where is that danger? I see none. Other gentlemen have told us, within these walls, that the Union is gone—or that the Union will be gone. Is not this trifling with the judgment of their fellow-citizens? Till they tell us the ground of their fears, I will consider them as imaginary. I rose to make inquiry where those

dangers were; they could make no answer; I believe I never shall have that answer. Is there a disposition in the people of this country to revolt against the dominion of laws? Has there been a single tumult in Virginia? Have not the people of Virginia, when laboring under the severest pressure of accumulated distress, manifested the most cordial acquiescence in the execution of the laws? What could be more lawful than their unanimous acquiescence under general distresses? Is there any revolution in Virginia? Whither is the spirit of America gone? Whither is the genius of America fled? It was but yesterday when our enemies marched in triumph through our country. Yet the people of this country could not be appalled by their pompous armaments; they stopped their career, and victoriously captured them. Where is the peril now, compared to that?

Some minds are agitated by foreign alarms. Happily for us, there is no real danger from Europe; that country is engaged in more arduous business; from that quarter, there is no cause of fear; you may sleep in safety forever for them. Where is the danger? If, Sir, there was any, I would recur to the American spirit to defend us — that spirit which has enabled us to surmount the greatest difficulties; to that illustrious spirit I address my most fervent prayer to prevent our adopting a system destructive to liberty. Let not gentlemen be told

that it is not safe to reject this government. Wherefore is it not safe? We are told there are dangers; but those dangers are ideal; they cannot be demonstrated. To encourage us to adopt it, they tell us that there is a plain, easy way of getting amendments. When I come to contemplate this part, I suppose that I am mad, or that my countrymen are so. The way to amendment is, in my conception, shut. Let us consider this plain, easy way. "The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution; or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several States, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by Congress. Provided, that no amendment which may be made prior to the year 1808 shall, in any manner, affect the first and fourth clauses in the ninth section of the first article; and that no other State, without its consent, shall be deprived of its equal suffrage in the Senate." Hence it appears that three fourths of the States must ultimately agree to any amendments that may be necessary. Let us consider the consequences of this. However uncharitable it may appear, yet I

must express my opinion that the most unworthy characters may get into power and prevent the introduction of amendments. Let us suppose (for this case is supposable, possible, and probable) that you happen to deal these powers to unworthy hands; will they relinquish powers already in their possession, or agree to amendments? Two thirds of the Congress or of the State legislatures are necessary even to propose amendments. If one third of these be unworthy men, they prevent the application for amendments; but a destructive and mischievous feature is that three fourths of the State legislatures, or of the State conventions, must concur in the amendments when proposed. In such numerous bodies there must necessarily be some designing, bad men. To suppose that so large a number as three fourths of the States will concur is to suppose that they will possess genius, intelligence, and integrity approaching to miraculous. It would indeed be miraculous that they should concur in the same amendments, or even in such as would bear some likeness to one another. For four of the smallest States, that do not collectively contain one tenth part of the population of the United States, may obstruct the most salutary and necessary amendments. Nay, in these four States, six tenths of the people may reject these amendments; and suppose that amendments shall be opposed to amendments (which is highly

probable), is it possible that three fourths can ever agree to the same amendments? A bare majority in these four small States may hinder the adoption of amendments; so that we may fairly and justly conclude that one twentieth part of the American people may prevent the removal of the most grievous inconveniences and oppression, by refusing to accede to amendments. A trifling minority may reject the most salutary amendments. Is this an easy mode of securing the public liberty? It is, Sir, a most fearful situation, when the most contemptible minority can prevent the alteration of the most oppressive government; for it may, in many respects, prove to be such. Is this the spirit of republicanism? What, Sir, is the genius of democracy? Let me read that clause of the Bill of Rights of Virginia which relates to this: Third clause: "That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community. Of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most effectually secured against the danger of maladministration; and that whenever any government shall be found inadequate, or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right to reform, alter, or abolish it, in such manner as

shall be judged most conducive to the public weal."

This, Sir, is the language of democracy — that a majority of the community have a right to alter their government when found to be oppressive; but how different is the genius of your new Constitution from this! How different from the sentiments of freemen, that a contemptible minority can prevent the good of the majority! If then gentlemen, standing on this ground, are come to that point that they are willing to bind themselves and their posterity to be oppressed, I am amazed and inexpressibly astonished. If this be the opinion of the majority, I must submit; but to me, Sir, it appears perilous and destructive; I cannot help thinking so. Perhaps it may be the result of my age; these may be feelings natural to a man of my years, when the American spirit has left him, and his mental powers, like the members of the body, are decayed. If, Sir, amendments are left to the twentieth, or to the tenth part of the people of America, your liberty is gone forever. We have heard that there is a great deal of bribery practised in the House of Commons in England, and that many of the members raise themselves to preferments by selling the rights of the people. But, Sir, the tenth part of that body cannot continue oppression on the rest of the people. English liberty is, in this case, on a firmer foundation than American

liberty. It will be easily contrived to procure the opposition of one tenth of the people to any amendment, however judicious.

The honorable gentleman who presides told us that, to prevent abuses in our government, we will assemble in convention, recall our delegated powers, and punish our servants for abusing the trust reposed in them. Oh, Sir, we should have fine times indeed if, to punish tyrants, it were only sufficient to assemble the people. Your arms, wherewith you could defend yourself, are gone; and you have no longer an aristocratical, no longer a democratical spirit. Did you ever read of any revolution, in any nation, brought about by the punishment of those in power, inflicted by those who had no power at all? You read of a Riot Act in a country which is called one of the freest in the world, where a few neighbors cannot assemble without the risk of being shot by a hired soldiery, the engines of despotism. We may see such an Act in America. A standing army we shall have also, to execute the execrable commands of tyranny; and how are you to punish them? Will you order them to be punished? Who shall obey these orders? Will your mace-bearer be a match for a disciplined regiment? In what situation are we to be?

The clause before you gives power of direct taxation, unbounded and unlimited; exclusive

power of legislation in all cases whatsoever, for ten miles square, and over all places purchased for the erection of forts, magazines, arsenals, dock-yards, etc. What resistance could be made? The attempt would be madness. You will find all the strength of this country in the hands of your enemies; those garrisons will naturally be the strongest places in the country. Your militia is given up to Congress also, in another part of this plan; they will therefore act as they think proper; all power will be in their own possession; you cannot force them to receive their punishment. Of what service would militia be to you, when most probably you will not have a single musket in the State? For as arms are to be provided by Congress, they may, or may not, furnish them.

Let us here call your attention to that part which gives the Congress power "To provide for organizing, arming, and disciplining the militia, and for governing such parts of them as may be employed in the services of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia, according to the discipline prescribed by Congress." By this, Sir, you see that their control over our last and best defence is unlimited. If they neglect or refuse to discipline or arm our militia, they will be useless; the States can do neither, their power being exclusively given to Congress.

The power of appointing officers over men not disciplined or armed is ridiculous; so that this pretended little remnant of power left to the States may, at the pleasure of Congress, be rendered nugatory. Our situation will be deplorable indeed; nor can we ever expect to get this government amended, since I have already shown that a very small minority may prevent it, and that small minority interested in the continuance of the oppression. Will the oppressor let go the oppressed? Was there ever an instance? Can the annals of mankind exhibit one single example where rulers, overcharged with power, willingly let go the oppressed, though solicited and requested most earnestly? The application for amendments will therefore be fruitless. Sometimes the oppressed have got loose by one of those bloody struggles that desolate a country. But a willing relinquishment of power is one of those things which human nature never was, nor ever will be, capable of.

The honorable gentleman's observations respecting the people's right of being the agents in the formation of this government are not accurate, in my humble conception. The distinction between a national government and a confederacy is not sufficiently discerned. Had the delegates who were sent to Philadelphia a power to propose a consolidated government instead of a confederacy? Were they not deputed by States, and

not by the people? The assent of the people, in their collective capacity, is not necessary to the formation of a federal government. The people have no right to enter into leagues, alliances, or confederations; they are not the proper agents for this purpose; States and sovereign powers are the only proper agents for this kind of government. Show me an instance where the people have exercised this business; has it not always gone through the legislatures? I refer you to the treaties with France, Holland, and other nations; how were they made? Were they not made by the States? Are the people, therefore, in their aggregate capacity, the proper persons to form a confederacy? This, therefore, ought to depend on the consent of the legislatures; the people have never sent delegates to make any proposition of changing the government. Yet I must say at the same time that it was made on grounds the most pure, and perhaps I might have been brought to consent to it, so far as to the change of government; but there is one thing in it which I never would acquiesce in. I mean the changing it into a consolidated government, which is so abhorrent to my mind.

The honorable gentleman then went on to the figure we make with foreign nations: the contemptible one we make in France and Holland, which, according to the substance of my notes, he

attributes to the present feeble government. An opinion has gone forth, we find, that we are a contemptible people; the time has been when we were thought otherwise. Under this same despised government, we commanded the respect of all Europe; wherefore are we now reckoned otherwise? The American spirit has fled from hence; it has gone to regions where it has never been expected: it has gone to the people of France, in search of a splendid government—a strong, energetic government. Shall we imitate the example of those nations who have gone from a simple to a splendid government? Are those nations more worthy of our imitation? What can make an adequate satisfaction to them for the loss they have suffered in attaining such a government—for the loss of their liberty? If we admit this consolidated government, it will be because we like a great and splendid one. Some way or other we must be a great and mighty empire; we must have an army, and a navy, and a number of things. When the American spirit was in its youth, the language of America was different; liberty, Sir, was then the primary object. We are descended from a people whose government was founded on liberty; our glorious forefathers of Great Britain made liberty the foundation of everything. That country is become a great, mighty, and splendid nation; not because their government is strong and energetic;

but, Sir, because liberty is its direct end and foundation. We drew the spirit of liberty from our British ancestors; by that spirit we have triumphed over every difficulty. But now, Sir, the American spirit, assisted by the ropes and chains of consolidation, is about to convert this country into a powerful and mighty empire. If you make the citizens of this country agree to become the subjects of one great consolidated empire of America, your government will not have sufficient energy to keep them together; such a government is incompatible with the genius of republicanism. There will be no checks, no real balances, in this government. What can avail your specious, imaginary balances — your rope-dancing, chain-rattling, ridiculous, ideal checks and contrivances? But, Sir, we are not feared by foreigners; we do not make nations tremble. Would this constitute happiness, or secure liberty? I trust, Sir, our political hemisphere will ever direct its operations to the security of those objects. Consider our situation, Sir; go to the poor man, ask him what he does; he will inform you that he enjoys the fruits of his labor, under his own fig-tree, with his wife and children around him, in peace and security. Go to every other member of the society; you will find the same tranquil ease and content; you will find no alarms or disturbances! Why then tell us of dangers, to terrify us into the

adoption of this new form of government? And yet who knows the dangers this new system may produce? They are out of the sight of the common people; they cannot foresee latent consequences. I dread the operation of it on the middle and lower classes of people; it is for them I fear the adoption of this system. I fear I tire the patience of the committee, but I beg to be indulged with a few more observations.

When I thus profess myself an advocate for the liberty of the people, I shall be told I am a designing man, that I am to be a great man, that I am to be a demagogue, and many similar illiberal insinuations will be thrown out; but, Sir, conscious rectitude outweighs these things with me. I see great jeopardy in this new government; I see none from our present one. I hope some gentleman or other will bring forth, in full array, those dangers, if there be any, that we may see and touch them. I have said that I thought this a consolidated government; I will now prove it. Will the great rights of the people be secured by this government? Suppose it should prove oppressive, how can it be altered? Our Bill of Rights declares, "That a majority of the community hath an indubitable, unalienable, and indefeasible right to reform, alter, or abolish it, in such a manner as shall be judged most conducive to the public weal." I have just proved that one tenth, or less, of the

people of America — a most despicable minority — may prevent this reform or alteration. Suppose the people of Virginia should wish to alter their government, can a majority of them do it? No, because they are connected with other men; or, in other words, consolidated with other States. When the people of Virginia, at a future day, shall wish to alter their government, though they should be unanimous in this desire, yet they may be prevented therefrom by a despicable minority at the extremity of the United States. The founders of your own Constitution made your government changeable; but the power of changing it is gone from you! Whither is it gone? It is placed in the same hands that hold the rights of twelve other States; and those who hold those rights have right and power to keep them. It is not the particular government of Virginia; one of the leading features of that government is that a majority can alter it, when necessary for the public good. This government is not a Virginian, but an American government. Is it not therefore a consolidated government? The sixth clause of your Bill of Rights tells you "That elections of members to serve as representatives of the people in Assembly ought to be free, and that all men, having sufficient evidence of permanent, common interest with and attachment to the community, have the right of suffrage, and cannot be taxed or deprived of their

property for public uses, without their own consent or that of their representatives so elected, nor bound by any law to which they have not in like manner assented for the public good." But what does this Constitution say? The clause under consideration gives unlimited and unbounded power of taxation. Suppose every delegate from Virginia opposes a law laying a tax, what will it avail? They are opposed by a majority; eleven members can destroy their efforts; those feeble ten cannot prevent the passing of the most oppressive tax-law. So that, in direct opposition to the spirit and express language of your declaration of rights, you are taxed, not by your own consent, but by people who have no connection with you.

The next clause of the Bill of Rights tells you "That all power of suspending law, or the execution of law, by any authority, without the consent of the representatives of the people, is injurious to their rights, and ought not to be exercised." This tells us that there can be no suspension of government, or laws, without our own consent; yet this Constitution can counteract and suspend any of our laws that contravene its oppressive operation; for they have the power of direct taxation, which suspends our Bill of Rights; and it is expressly provided that they can make all laws necessary for carrying their powers into execution; and it is declared paramount to the laws

and constitutions of the States. Consider how the only remaining defence we have left is destroyed in this manner. Besides the expenses of maintaining the Senate and other House in as much splendor as they please, there is to be a great and mighty President, with very extensive powers — the powers of a king. He is to be supported in extravagant magnificence; so that the whole of our property may be taken by this American government, by laying what taxes they please, giving themselves what salaries they please, and suspending our laws at their pleasure. I might be thought too inquisitive, but I believe I should take up but very little of your time in enumerating the little power that is left to the government of Virginia; for this power is reduced to little or nothing. Their garrisons, magazines, arsenals, and forts, which will be situated in the strongest places within the States — their ten miles square, with all the fine ornaments of human life, added to their powers, and taken from the States, — will reduce the power of the latter to nothing. The voice of tradition, I trust, will inform posterity of our struggles for freedom. If our descendants be worthy the name of Americans, they will preserve and hand down to their latest posterity the transactions of the present time; and though, I confess, my exclamations are not worthy the hearing, they will see that I have done my utmost to preserve their

liberty; for I never will give up the power of direct taxation but for a scourge. I am willing to give it conditionally—that is, after non-compliance with requisitions; I will do more, Sir, and what I hope will convince the most sceptical man that I am a lover of the American Union: that in case Virginia shall not make punctual payment, the control of our custom-houses, and the whole regulation of trade, shall be given to Congress; and that Virginia shall depend on Congress even for passports, till Virginia shall have paid the last farthing, and furnished the last soldier. Nay, Sir, there is another alternative to which I would consent: even that they should strike us out of the Union, and take from us all federal privileges till we comply with federal requisitions; but let it depend upon our own pleasure to pay our money in the most easy manner for our people. Were all the States, more terrible than the mother country, to join against us, I hope Virginia could defend herself; but, Sir, the dissolution of the Union is most abhorrent to my mind. The first thing I have at heart is American liberty; the second thing is American union; and I hope the people of Virginia will endeavor to preserve that union. The increasing population of the Southern States is far greater than that of New England; consequently, in a short time, they will be far more numerous than the people of that country. Con-

sider this, and you will find this State more particularly interested to support American liberty and not bind our posterity by an improvident relinquishment of our rights. I would give the best security for a punctual compliance with requisitions; but I beseech gentlemen, at all hazards, not to grant this unlimited power of taxation.

The honorable gentleman has told us that these powers given to Congress are accompanied by a judiciary which will correct all. On examination, you will find this very judiciary oppressively constructed, your jury-trial destroyed, and the judges dependent on Congress. In this scheme of energetic government, the people will find two sets of tax-gatherers — the States and the federal sheriffs. This, it seems to me, will produce such dreadful oppression as the people cannot possibly bear. The federal sheriff may commit what oppression, make what distresses he pleases, and ruin you with impunity; for how are you to tie his hands? Have you any sufficient, decided means of preventing him from sucking your blood by speculations, commissions, and fees? Thus thousands of your people will be most shamefully robbed. Our State sheriffs, those unfeeling bloodsuckers, have, under the watchful eye of our legislature, committed the most horrid and barbarous ravages on our people. It has required the most constant vigilance of the legislature to keep them from

totally ruining the people. A repeated succession of laws has been made to prevent extortions, and as often has their nefarious ingenuity devised methods of evading the force of those laws; in the struggle they have generally triumphed over the legislature. It is a fact that lands have sold for five shillings which were worth one hundred pounds. If sheriffs thus immediately under the the eye of our State legislature and judiciary have dared to commit these outrages, what would they not have done if their masters had been at Philadelphia or New York? If they perpetrate the most unwarrantable outrage on your persons or property, you cannot get redress on this side of Philadelphia or New York; and how can you get it there? If your domestic avocations could permit you to go thither, there you must appeal to judges sworn to support this Constitution in opposition to that of any State, and who may also be inclined to favor their own officers. When these harpies are aided by excisemen who may search, at any time, your houses and most secret recesses, will the people bear it? If you think so, you differ from me. Where I thought there was a possibility of such mischiefs, I would grant power with niggardly hand; and here there is a strong probability that the oppressions shall actually happen. I may be told that it is safe to err on that side, because such regulations may be made by Con-

gress as shall restrain these officers, and because laws are made by our representatives and judged by righteous judges; but, Sir, as these regulations may be made, so they may not; and many reasons there are to induce a belief that they will not. I shall therefore be an infidel on that point till the day of my death.

This Constitution is said to have beautiful features; but when I come to examine these features, Sir, they appear to me horribly frightful. Among other deformities, it has an awful squinting; it squints toward monarchy; and does not this raise indignation in the breast of every true American? Your president may easily become a king. Your Senate is so imperfectly constructed that your dearest rights may be sacrificed by what may be a small minority, and a very small minority may continue forever unchangeably this government, although horridly defective. What are your checks in this government? Your strongholds will be in the hands of your enemies. It is on a supposition that your American governors shall be honest that all the good qualities of this government are founded; but its defective and imperfect construction puts it in their power to perpetrate the worst of mischiefs, should they be bad men. And, Sir, would not all the world, from the Eastern to the Western hemisphere, blame our distracted folly in resting our rights upon the contingency of our

rulers being good or bad? Show me that age and country where the rights and liberties of the people were placed on the sole chance of their rulers being good men, without a consequent loss of liberty. I say that the loss of that dearest privilege has ever followed, with absolute certainty, every such mad attempt. If your American chief be a man of ambition and abilities, how easy will it be for him to render himself absolute! The army is in his hands, and, if he be a man of address, it will be attached to him; and it will be the subject of long meditation with him to seize the first auspicious moment to accomplish his design. And, Sir, will the American spirit solely relieve you when this happens? I would rather infinitely, and I am sure most of this convention are of the same opinion, have a king, lords, and commons, than a government so replete with such insupportable evils. If we make a king, we may prescribe the rules by which he shall rule his people and interpose such checks as shall prevent him from infringing them; but the president in the field, at the head of his army, can prescribe the terms on which he shall reign master, so far that it will puzzle any American ever to get his neck from under the galling yoke. I cannot with patience think of this idea. If ever he violates the law, one of two things will happen: he will come at the head of his army to carry everything before him; or he will give bail,

or do what Mr. Chief Justice will order him. If he be guilty, will not the recollection of his crimes teach him to make one bold push for the American throne? Will not the immense difference between being master of everything and being ignominiously tried and punished powerfully excite him to make this bold push? But, Sir, where is the existing force to punish him? Can he not, at the head of his army, beat down every opposition? Away with your president! we shall have a king; the army will salute him monarch; your militia will leave you, and assist in making him king, and fight against you; and what have you to oppose this force? What will then become of you and your rights? Will not absolute despotism ensue?

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What can be more defective than the clause concerning elections? The control given to Congress over the time, place, and manner of holding elections will totally destroy the end of suffrage. The elections may be held at one place, and the most inconvenient in the State; or they may be at remote distances from those who have a right of suffrage; hence, nine out of ten must either not vote at all, or vote for strangers; for the most influential characters will be applied to, to know who are the most proper to be chosen. I repeat that the control of Congress over the manner, etc., of electing well warrants this idea. The natural

consequence will be that this democratic branch will possess none of the public confidence; the people will be prejudiced against representatives chosen in such an injudicious manner. The proceedings in the northern conclave will be hidden from the yeomanry of this country. We are told that the yeas and nays shall be taken and entered on the journals; this, Sir, will avail nothing. It may be locked up in their chests, and concealed forever from the people, for they are not to publish what parts they think require secrecy; they may think, and will think, the whole requires it.

Another beautiful feature of this Constitution is the publication, from time to time, of the receipts and expenditures of the public money. This expression, "from time to time," is very indefinite and indeterminate; it may extend to a century. Grant that any of them are wicked: they may squander the public money so as to ruin you, and yet this expression will give you no redress. I say, they may ruin you; for where, Sir, is the responsibility? The yeas and nays will show you nothing, unless they be fools as well as knaves; for, after having wickedly trampled on the rights of the people, they would act like fools indeed, were they to publish and divulge their iniquity, when they have it equally in their power to suppress and conceal it. Where is the responsibility—that leading principle in the British government? In that

government, a punishment, certain and inevitable, is provided; but in this, there is no real, actual punishment for the grossest maladministration. They may go without punishment, though they commit the most outrageous violation on our immunities. That paper may tell me they will be punished. I ask, by what law? They must make the law, for there is no existing law to do it. What! will they make a law to punish themselves? This, Sir, is my great objection to the Constitution, that there is no true responsibility, and that the preservation of our liberty depends on the single chance of men being virtuous enough to make laws to punish themselves. In the country from which we are descended, they have real and not imaginary responsibility; for there maladministration has cost their heads to some of the most saucy geniuses that ever were. The Senate, by making treaties, may destroy your liberty and laws for want of responsibility. Two thirds of those that shall happen to be present can, with the president, make treaties that shall be the supreme law of the land; they may make the most ruinous treaties, and yet there is no punishment for them. Whoever shows me a punishment provided for them will oblige me. So, Sir, notwithstanding there are eight pillars, they want another. Where will they make another? I trust, Sir, the exclusion of the evils wherewith this system is replete, in its

present form, will be made a condition precedent to its adoption by this or any other State. The transition from a general, unqualified admission to offices to a consolidation of government seems easy; for, though the American States are dissimilar in their structure, this will assimilate them; this, Sir, is itself a strong consolidating feature, and is not one of the least dangerous in that system. Nine States are sufficient to establish this government over those nine. Imagine that nine have come into it. Virginia has certain scruples. Suppose she will consequently refuse to join with those States; may not they still continue in friendship and union with her? If she sends her annual requisitions in dollars, do you think their stomachs will be so squeamish as to refuse her dollars? Will they not accept her regiments? They would intimidate you into an inconsiderate adoption, and frighten you with ideal evils, and that the Union shall be dissolved. 'Tis a bugbear, Sir; the fact is, Sir, that the eight adopting States can hardly stand on their own legs. Public fame tells us that the adopting States have already heartburnings and animosity and repent their precipitate hurry; this, Sir, may occasion exceeding great mischief. When I reflect on these and many other circumstances, I must think those States will be found to be in confederacy with us. If we pay our quota of money annually, and furnish our ratable number

of men when necessary, I can see no danger from a rejection. The history of Switzerland clearly proves that we might be in amicable alliance with those States without adopting this Constitution. Switzerland is a confederacy, consisting of dissimilar governments. This is an example which proves that governments of dissimilar structures may be confederated. That confederate republic has stood upwards of four hundred years; and, although several of the individual republics are democratic, no evil has resulted from this dissimilarity, for they have braved all the power of France and Germany during that long period. The Swiss spirit, Sir, has kept them together; they have encountered and overcome immense difficulties with patience and fortitude. In the vicinity of powerful and ambitious monarchs, they have retained their independence, republican simplicity, and valor.

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Look at the peasants of that country and of France, and mark the difference. You will find the condition of the former far more desirable and comfortable. No matter whether a people be great, splendid, and powerful, if they enjoy freedom. The Turkish Grand Seignior, alongside of our president, would put us to disgrace; but we should be abundantly consoled for this disgrace, should our citizen be put in contrast with the Turkish slave.

The most valuable end of government is the liberty of the inhabitants. No possible advantages can compensate for the loss of this privilege. Show me the reason why the American Union is to be dissolved. Who are those eight adopting States? Are they averse to give us a little time to consider, before we conclude? Would such a disposition render a junction with them eligible? or is it the genius of that kind of government to precipitate a people hastily into measures of the utmost importance and grant no indulgence? If it be, Sir, is it for us to accede to such a government? We have a right to have time to consider; we shall therefore insist upon it. Unless the government be amended, we can never accept it. The adopting States will doubtless accept our money and our regiments; and what is to be the consequence if we are disunited? I believe that it is yet doubtful whether it is not proper to stand a while and see the effect of its adoption in other States. In forming a government, the utmost care should be taken to prevent its becoming oppressive; and this government is of such an intricate and complicated nature that no man on this earth can know its real operation. The other States have no reason to think, from the antecedent conduct of Virginia, that she has any intention of seceding from the Union, or of being less active to support the general welfare. Would they not,

therefore, acquiesce in our taking time to deliberate — deliberate whether the measure be not perilous, not only for us, but the adopting States. Permit me, Sir, to say that a great majority of the people, even in the adopting States, are averse to this government. I believe I would be right to say that they have been egregiously misled. Pennsylvania has, perhaps, been tricked into it. If the other States who have adopted it have not been tricked, still they were too much hurried into its adoption. There were very respectable minorities in several of them ; and, if reports be true, a clear majority of the people are averse to it. If we also accede, and it should prove grievous, the peace and prosperity of our country, which we all love, will be destroyed. This government has not the affection of the people at present. Should it be oppressive, their affection will be totally estranged from it — and, Sir, you know that a government without their affections can neither be durable nor happy. I speak as one poor individual — but, when I speak, I speak the language of thousands. But, Sir, I mean not to breathe the spirit, nor utter the language, of secession.

I have trespassed so long on your patience, I am really concerned that I have something yet to say. The honorable member has said that we shall be properly represented. Remember, Sir, that the number of our representatives is but ten, whereof

six are a majority. Will those men be possessed of sufficient information? A particular knowledge of particular districts will not suffice. They must be well acquainted with agriculture, commerce, and a great variety of other matters throughout the continent; they must know not only the actual state of nations in Europe and America, the situation of their farmers, cottagers, and mechanics, but also the relative situation and intercourse of those nations. Virginia is as large as England. Our proportion of representatives is but ten men. In England they have five hundred and thirty. The House of Commons in England, numerous as they are, we are told, is bribed, and has bartered away the rights of their constituents; what then shall become of us? Will these few protect our rights? Will they be incorruptible? You say they will be better men than the English commoners. I say they will be infinitely worse men because they are to be chosen blindfolded; their election (the term, as applied to their appointment, is inaccurate) will be an involuntary nomination, and not a choice.

I have, I fear, fatigued the committee, yet I have not said the one hundred thousandth part of what I have on my mind and wish to impart. On this occasion, I conceive myself bound to attend strictly to the interests of the State; and I thought her dearest rights at stake. Having lived so long — been so much honored — my efforts, though small,

are due to my country. I have found my mind hurried on from subject to subject on this very great occasion. We have all been out of order, from the gentleman who opened to-day to myself. I did not come prepared to speak on so multifarious a subject in so general a manner. I trust you will indulge me another time. Before you abandon the present system, I hope you will consider not only its defects most maturely, but likewise those of that which you are to substitute for it. May you be fully apprised of the dangers of the latter, not by fatal experience, but by some abler advocate than I.

EDMUND RANDOLPH

Edmund Randolph was born in Virginia in 1753. He was educated at the College of William and Mary, and adopted the profession of law. Notwithstanding the royalism of his father, young Randolph warmly espoused the popular cause, and became aide-de-camp to Washington for a time in 1775. In 1776 he was a member of the Virginia convention, and became the first Attorney General of the State under the new Constitution. In 1779 he was elected to Congress, but soon resigned. In 1780, however, he was re-elected, and served for two years. He was Governor of his State from 1786 to 1788, and was a most prominent member of the convention on the Constitution. His brilliant career in this convention won him the admiration and partisanship of Franklin and other prominent men, and to Randolph were due many needed alterations in the Constitution as first submitted. Though not entirely satisfied with the proposed form of government, he advocated ratification in his State convention, and his eloquence and influence finally triumphed over the opposition, led by Patrick Henry. In 1794 Randolph succeeded Jefferson as Secretary of State, but resigned in 1795. He then occupied himself with the practice of law, and was counsel for Aaron Burr when the latter was tried for treason. He died in 1813.

Randolph was a forceful rather than a graceful speaker. His style was direct and generally studiously plain, eschewing all of ornateness. He excelled in marshalling his facts and in logical exposition.

Randolph left in manuscript a *History of Virginia,* most of which is in the possession of the Historical Society of Virginia, never having been published, although frequently borrowed from by other historians. The best life of Randolph is to be found in the *Omitted Chapters of History, Disclosed in the Life and Papers of Edmund Randolph,* by Moncure D. Conway (New York, 1888).

THE FEDERAL CONSTITUTION

[Selection.] *Randolph.*

The greatest of all the speeches delivered by Edmund Randolph was that on the Federal Constitution. The occasion of its delivery is described in the note on the speech of Patrick Henry on the same subject, Randolph's speech being made on June 6, 1788, two days later than that delivered by his great opponent. The oration is remarkable for its display of the closest reasoning combined with liberality of thought.

MR. CHAIRMAN: I am a child of the Revolution. My country, very early indeed, took me under her protection at a time when I most wanted it; and by a succession of favors and honors prevented even my most ardent wishes. I feel the highest gratitude and attachment to my country; her felicity is the most fervent prayer of my heart. Conscious of having exerted my faculties to the utmost in her behalf, if I have not succeeded in securing the esteem of my countrymen, I shall reap abundant consolation from the rectitude of my intentions; honors, when compared to the satisfaction accruing from a conscious independence and rectitude of conduct, are no equivalent. The unwearied study of my life shall be to

promote her happiness. As a citizen, ambition and popularity are no objects to me. I expect, in the course of a year, to retire to that private station which I most sincerely and cordially prefer to all others. The security of public justice, Sir, is what I most fervently wish, as I consider that object to be the primary step to the attainment of public happiness. I can declare to the whole world that in the part I take in this important question I am actuated by a regard for what I conceive to be our true interest. I can also, with equal sincerity, declare that I would join heart and hand in rejecting this system, did I conceive it would promote our happiness; but having a strong conviction on my mind, at this time, that by a disunion we shall throw away all those blessings we have so earnestly fought for, and that a rejection of the Constitution will operate disunion, pardon me if I discharge the obligation I owe to my country by voting for its adoption. We are told that the report of dangers is false. The cry of peace, Sir, is false; say peace, when there is peace; it is but a sudden calm. The tempest growls over you—look around—wheresoever you look, you see danger. When there are so many witnesses, in many parts of America, that justice is suffocated, shall peace and happiness still be said to reign? Candor, Sir, requires an undisguised representation of our situation. Candor, Sir, demands a faithful exposition

Edm: Randolph

of facts. Many citizens have found justice strangled and trampled under foot through the course of jurisprudence in this country. Are those who have debts due them satisfied with your government? Are not creditors wearied with the tedious procrastination of your legal process — a process obscured by legislative mists? Cast your eyes to your seaports; see how commerce languishes; this country, so blessed by nature with every advantage that can render commerce profitable, through defective legislation is deprived of all the benefits and emoluments she might otherwise reap from it. We hear many complaints on the subject of located lands — a variety of competitors claiming the same lands under legislative acts — public faith prostrated, and private confidence destroyed. I ask you if your laws are reverenced? In every well-regulated community, the laws command respect. Are yours entitled to reverence? We do not see violations of the Constitution, but of national principles in repeated instances. How is the fact? The history of the violations of the Constitution extends from the year 1776 to this present time — violations made by formal Acts of the legislature; everything has been drawn within the legislative vortex. There is one example of this violation in Virginia of a most striking and shocking nature; an example so horrid that, if I conceived my country would passively permit a

repetition of it, dear as it is to me, I would seek means of expatriating myself from it. A man, who was then a citizen, was deprived of his life thus: from a mere reliance on general reports, a gentleman in the House of Delegates informed the House that a certain man [Josiah Phillips] had committed several crimes, and was running at large, perpetrating other crimes; he therefore moved for leave to attaint him. He obtained that leave instantly. No sooner did he obtain it than he drew from his pocket a bill already written to that effect; it was read three times in one day, and carried to the Senate; I will not say that it passed the same day through the Senate, but he was attainted very speedily and precipitately, without any proof better than vague reports! Without being confronted with his accusers and witnesses —without the privilege of calling for evidence in his behalf—he was sentenced to death, and was afterwards actually executed. Was this arbitrary deprivation of life, the dearest gift of God to man, consistent with the genius of a republican government? Is this compatible with the spirit of freedom? This, Sir, has made the deepest impression on my heart, and I cannot contemplate it without horror.

There are still a multiplicity of complaints of the debility of the laws. Justice, in many instances, is so unattainable that commerce may in fact be said to be stopped entirely. There is no peace, Sir, in

this land; can peace exist with injustice, licentiousness, insecurity, and oppression? These considerations, independent of many others which I have not yet enumerated, would be a sufficient reason for the adoption of this Constitution, because it secures the liberty of the citizen, his person and property, and will invigorate and restore commerce and industry.

An additional reason to induce us to adopt it is that excessive licentiousness which has resulted from the relaxation of our laws, and which will be checked by this government. Let us judge from the fate of more ancient nations. Licentiousness has produced tyranny among many of them. It has contributed as much — if not more — as any other cause whatsoever to the loss of their liberties. I have respect for the integrity of our legislators; I believe them to be virtuous; but as long as the defects of the Constitution exist, so long will laws be imperfect. The honorable gentlemen went on further, and said that the accession of eight States is not a reason for our adoption. Many other things have been alleged out of order; instead of discussing the system regularly, a variety of points are promiscuously debated, in order to make temporary impressions on the members. Sir, were I convinced of the validity of their arguments, I would join them heart and hand. Were I convinced that the accession of eight States did not

render our accession also necessary to preserve the Union, I would not accede to it till it should be previously amended; but, Sir, I am convinced that the Union will be lost by our rejection. Massachusetts has adopted it; she has recommended subsequent amendments; her influence must be very considerable to obtain them; I trust my countrymen have sufficient wisdom and virtue to entitle them to equal respect.

Is it urged that, being wiser, we ought to prescribe amendments to the other States? I have considered this subject deliberately—wearied myself in endeavoring to find a possibility of preserving the Union, without our unconditional ratification, but, Sir, in vain; I find no other means. I ask myself a variety of questions applicable to the adopting States, and I conclude: will they repent of what they have done? Will they acknowledge themselves in an error? Or will they recede to gratify Virginia? My prediction is that they will not. Shall we stand by ourselves, and be severed from the Union if amendments cannot be had? I have every reason for determining within myself that our rejection must dissolve the Union, and that that dissolution will destroy our political happiness. The honorable gentleman was pleased to draw out several other arguments, out of order: that this government would destroy the State governments, the trial by

jury, &c., &c., and concluded by an illustration of his opinion by a reference to the confederacy of the Swiss. Let us argue with unprejudiced minds. He says that the trial by jury is gone; is this so? Although I have declared my determination to give my vote for it, yet I shall freely censure those parts which appear to me reprehensible. The trial by jury, in criminal cases, is secured; in civil cases it is not so expressly secured as I could wish it; but it does not follow that Congress has the power of taking away this privilege, which is secured by the constitution of each State, and not given away by this Constitution. I have no fear on this subject; Congress must regulate it so as to suit every State. I will risk my property on the certainty that they will institute the trial by jury in such manner as shall accommodate the convenience of the inhabitants in every State; the difficulty of ascertaining this accommodation was the principal cause of its not being provided for. It will be the interest of the individuals composing Congress to put it on this convenient footing. Shall we not choose men respectable for their good qualities? Or can we suppose that men tainted with the worst vices will get into Congress? I beg leave to differ from the honorable gentleman on another point. He dreads that great inconveniences will ensue from the federal court; that our citizens will be harassed by being

carried thither. I cannot think that this power of the federal judiciary will necessarily be abused. The inconvenience here suggested being of a general nature, affecting most of the States, will, by general consent of the States, be removed; and, I trust, such regulations shall be made, in this case, as will accommodate the people in every State. The honorable gentleman instanced the Swiss cantons as an example, to show us the possibility, if not expediency, of being in amicable alliance with the other States without adopting this system. Sir, references to history will be fatal in political reasoning, unless well guarded. Our mental ability is often so contracted, and powers of investigation so limited, that sometimes we adduce as an example in our favor what in fact militates against us. Examine the situation of that country comparatively to us. Its extent and situation are totally different from ours; it is surrounded by powerful, ambitious, and reciprocally jealous nations; its territory small, and the soil not very fertile. The peculiarity, Sir, of their situation has kept these cantons together, and not that system of alliance to which the gentleman seems to attribute the durability and felicity of their connection.

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I have produced this example to show that we ought not to be amused with historical references

which have no kind of analogy to the points under our consideration. We ought to confine ourselves to those points solely which have an immediate and strict similitude to the subject of our discussion. The reference made by the honorable gentleman over the way is extremely inapplicable to us. Are the Swiss cantons circumstanced as we are? Are we surrounded by formidable nations, or are we situated in any manner like them? We are not, Sir. Then it naturally results that no such friendly intercourse as he flattered himself with could take place in case of a dissolution of the Union. We are remotely situated from powerful nations, the dread of whose attack might impel us to unite firmly with one another; we are not situated in an inaccessible, strong position; we have to fear much from one another; we must soon feel the fatal effects of an imperfect system of union.

The honorable gentleman attacks the Constitution, as he thinks it contrary to our Bill of Rights. Do we not appeal to the people, by whose authority all government is made? That Bill of Rights is of no validity, because, I conceive, it is not formed on due authority. It is not a part of our Constitution; it has never secured us against any danger; it has been repeatedly disregarded and violated. But we must not discard the confederation for the remembrance of its past services. I am attached to old servants. I have

regard and tenderness for this old servant; but when reason tells us that it can no longer be retained without throwing away all that it has gained us and running the risk of losing everything dear to us, must we still continue our attachment? Reason and my duty tell me not. Other gentlemen may think otherwise. But, Sir, is it not possible that men may differ in sentiments, and still be honest? We have an inquisition within ourselves that leads us not to offend so much against charity. The gentleman expresses a necessity of being suspicious of those who govern. I will agree with him in the necessity of political jealousy to a certain extent; but we ought to examine how far this political jealousy ought to be carried. I confess that a certain degree of it is highly necessary to the preservation of liberty; but it ought not to be extended to a degree which is degrading and humiliating to human nature — to a degree of restlessness and active disquietude sufficient to disturb a community or preclude the possibility of political happiness and contentment. Confidence ought also to be equally limited. Wisdom shrinks from extremes, and fixes on a medium as her choice. Experience and history, the least fallible judges, teach us that, in forming a government, the powers to be given must be commensurate to the object. A less degree will defeat the intention, and a greater

will subject the people to the depravity of rulers who, though they are but agents of the people, pervert their powers to their own emolument and ambitious views.

Mr. Chairman, I am sorry to be obliged to detain the House, but the relation of a variety of matters renders it now unavoidable. I informed the House yesterday, before rising, that I intended to show the necessity of having a national government, in preference to the confederation; also, to show the necessity of conceding the power of taxation, and of distinguishing between its objects; and I am the more happy that I possess materials of information for that purpose. My intention then is to satisfy the gentlemen of this committee that a national government is absolutely indispensable, and that a confederacy is not eligible in our present situation. The introductory step to this will be to endeavor to convince the House of the necessity of the Union, and that the present confederation is actually inadequate and unamendable. The extent of the country is objected to, by the gentleman over the way, as an insurmountable obstacle to the establishing a national government in the United States. It is a very strange and inconsistent doctrine to admit the necessity of the Union and yet urge this last objection, which I think goes radically to the existence of the Union itself. If the extent of the

country be a conclusive argument against a national government, it is equally so against an union with the other States. Instead of entering largely into a discussion of the nature and effect of the different kinds of government, or into an inquiry into the particular extent of country that may suit the genius of this or that government, I ask this question—is this government necessary for the safety of Virginia? Is this Union indispensable for our happiness? I confess it is imprudent for any nation to form alliance with another whose situation and construction of government are dissimilar with its own. It is impolitic and improper for men of opulence to join their interest with men of indigence and chance. But we are now inquiring particularly whether Virginia, as contradistinguished from the other States, can exist without the Union—a hard question, perhaps, after what has been said. I will venture, however, to say she cannot. I shall not rest contented with asserting; I shall endeavor to prove. Look at the most powerful nations on earth. England and France have had recourse to this expedient. Those countries have found it necessary to unite with their immediate neighbors, and this union has prevented the most lamentable mischiefs. What divine pre-eminence is Virginia possessed of, above other States? Can Virginia send her navy and thunder to bid defiance to

foreign nations? And can she exist without an union with her neighbors, when the most potent nations have found such an union necessary, not only to their political felicity but their national existence? Let us examine her ability. Although it be impossible to determine with accuracy what degree of internal strength a nation ought to possess to enable it to stand by itself, yet there are certain sure facts and circumstances which demonstrate that a particular nation cannot stand singly. I have spoken with freedom, and, I trust, I have done it with decency; but I must also speak with truth. If Virginia can exist without the Union, she must derive that ability from one or the other of these sources, namely: from her natural situation, or because she has no reason to fear from other nations. What is her situation? She is not inaccessible. She is not a petty republic, like that of St. Marino, surrounded with rocks and mountains, with a soil not very fertile, nor worthy the envy of surrounding nations. Were this, Sir, her situation, she might, like that petty State, subsist, separated from all the world. On the contrary, she is very accessible; the large, capacious bay of Chesapeake, which is but too excellently adapted for the admission of enemies, renders her very vulnerable. I am informed—and I believe rightly, because I derive my information from those whose knowledge is most respectable—that Virginia is in

a very unhappy position with respect to the access of foes by sea, though happily situated for commerce. This being her situation by sea, let us look at land. She has frontiers adjoining the States of Pennsylvania, Maryland, and North Carolina. Two of these States have declared themselves members of the Union. Will she be inaccessible to the inhabitants of those States? Cast your eyes to the western country, that is inhabited by cruel savages, your natural enemies. Besides their natural propensity to barbarity, they may be excited by the gold of foreign enemies to commit the most horrid ravages on your people. Our great, increasing population is one remedy to this evil; but, being scattered thinly over so extensive a country, how difficult it is to collect their strength or defend the country. This is one point of weakness. I wish, for the honor of my countrymen, that it was the only one. There is another circumstance which renders us more vulnerable. Are we not weakened by the population of those whom we hold in slavery? The day may come when they may make an impression upon us. Gentlemen who have been long accustomed to the contemplation of the subject think there is a cause of alarm in this case. The number of those people, compared to that of the whites, is in an immense proportion: their number amounts to two hundred and thirty-six thousand, that of the whites

only to three hundred and fifty-two thousand. Will the American spirit, so much spoken of, repel an invading enemy or enable you to obtain an advantageous peace? Manufactures and military stores may afford relief to a country exposed; have we these at present? Attempts have been made to have these here. If we shall be separated from the Union, shall our chance of having these be greater? Or will not the want of these be more deplorable? We shall be told of the exertions of Virginia, under the confederation — her achievements, when she had no commerce. These, Sir, were necessary for her immediate safety; nor would these have availed without the aid of the other States. Those States, then our friends, brothers, and supporters, will, if disunited from us, be our bitterest enemies.

If then, Sir, Virginia, from her situation, is not inaccessible or invulnerable, let us consider if she be protected by having no cause to fear from other nations; has she no cause to fear? You will have cause to fear, as a nation, if disunited; you will not only have this cause to fear from yourselves, from that species of population I have before mentioned, and your once sister States, but from the arms of other nations. Have you no cause of fear from Spain, whose dominions border on your country? Every nation, every people, in our circumstances, have always had

abundant cause to fear. Let us see the danger to be apprehended from France; let us suppose Virginia separated from the other States; as a part of the former confederated States, she will owe France a very considerable sum — France will be as magnanimous as ever. France, by the law of nations, will have a right to demand the whole of her, or of the others. If France were to demand it, what would become of the property of America? Could she not destroy what little commerce we have? Could she not seize our ships and carry havoc and destruction before her on our shores? The most lamentable desolation would take place. We owe a debt to Spain also; do we expect indulgence from that quarter? That nation has a right to demand the debt due to it, and power to enforce that right. Will the Dutch be silent about the debt due to them? Is there any one pretension that any of these nations will be patient? The debts due the British are also very considerable; these debts have been withheld contrary to treaty; if Great Britain will demand the payment of these debts peremptorily, what will be the consequence? Can we pay them if demanded? Will no danger result from a refusal? Will the British nation suffer their subjects to be stripped of their property? Is not that nation amply able to do its subjects justice? Will the resentment of that powerful and super-

cilious nation sleep forever? If we become one sole nation, uniting with our sister States, our means of defence will be greater and the danger of an attack less probable. Moreover, vast quantities of lands have been sold by citizens of this country to Europeans, and these lands cannot be found. Will this fraud be countenanced or endured? Among so many causes of danger, shall we be secure, separated from our sister States? Weakness itself, Sir, will invite some attack upon our country. Contemplate our situation deliberately, and consult history: it will inform you that people in our circumstances have ever been attacked, and successfully; open any page, and you will there find our danger truly depicted. If such a people had anything, was it not taken? The fate which will befall us, I fear, Sir, will be that we shall be made a partition of. How will these our troubles be removed? Can we have any dependence on commerce? Can we make any computation on this subject? Where will our flag appear? So high is the spirit of commercial nations, that they will spend five times the value of the object to exclude their rivals from a participation in commercial profits; they seldom regard any expenses. If we should be divided from the rest of the States, upon what footing would our navigation in the Mississippi be? What would be the probable conduct of France

and Spain? Every gentleman may imagine, in his own mind, the natural consequences. To these considerations I might add many others of a similar nature. Were I to say that the boundary between us and North Carolina is not yet settled, I should be told that Virginia and that State go together. But what, Sir, will be the consequence of the dispute that may arise between us and Maryland on the subject of Potomac river? It is thought Virginia has a right to an equal navigation with them in that river. If ever it should be decided on grounds of prior right, their charter will inevitably determine it in their favor. The country called the Northern Neck will probably be severed from Virginia. There is not a doubt but the inhabitants of that part will annex themselves to Maryland, if Virginia refuse to accede to the Union. The recent example of those regulations lately made respecting that territory will illustrate that probability. Virginia will also be in danger of a conflict with Pennsylvania on the subject of boundaries. I know that some gentlemen are thoroughly persuaded that we have a right to those disputed boundaries; if we have such a right, I know not where it is to be found.

Are we not borderers on States that will be separated from us? Call to mind the history of every part of the world, where nations have bordered on one another, and consider the conse-

quences of our separation from the Union. Peruse those histories, and you find such countries to have ever been almost a perpetual scene of bloodshed and slaughter—the inhabitants of one escaping from punishment into the other, protection given them, consequent pursuit, robbery, cruelty, and murder. A numerous standing army, that dangerous expedient, would be necessary, but not sufficient for the defence of such borders. Every gentleman will amplify the scene in his own mind. If you wish to know the extent of such a scene, look at the history of England and Scotland before the union ; you will see their borders continually committing depredations and cruelties, of the most calamitous and deplorable nature, on one another.

Mr. Chairman, were we struck off from the Union, and disputes of the back lands should be renewed, which are of the most alarming nature and which must produce uncommon mischiefs, can you inform me how this great subject would be settled ? Virginia has a large unsettled country ; she has, at last, quieted it ; but there are great doubts whether she has taken the best way to effect it. If she has not, disagreeable consequences may ensue. I have before hinted at some other causes of quarrel between the other States and us, particularly the hatred that would be generated by commercial competition. I will only add on that subject that controversies may arise

concerning the fisheries, which must terminate in wars. Paper money may also be an additional source of disputes. Rhode Island has been in one continued train of opposition to national duties and integrity ; they have defrauded their creditors by their paper money. Other States have also had emissions of paper money, to the ruin of credit and commerce. May not Virginia, at a future day, also recur to the same expedient ? Has Virginia no affection for paper money or disposition to violate contracts ? I fear she is as fond of these measures as most other States in the Union. The inhabitants of the adjacent States would be affected by the depreciation of paper money, which would assuredly produce a dispute with those States. This danger is taken away by the present Constitution, as it provides "That no State shall emit bills of credit." Maryland has counteracted the policy of this State frequently, and may be meditating examples of this kind again. Before the Revolution there was a contest about those back lands, in which even Government was a party ; it was put an end to by the war. Pennsylvania was ready to enter into a war with us for the disputed lands near the boundaries, and nothing but the superior prudence of the man who was at the head of affairs in Virginia could have prevented it.

I beg leave to remind you of the strength of

Massachusetts and other States to the north; and what would their conduct be to us if disunited from them? In case of a conflict between us and Maryland or Pennsylvania, they would be aided by the whole strength of the more northern States; in short, by that of all the adopting States. For these reasons, I conceive that if Virginia supposes she has no cause of apprehension, she will find herself in a fatal error. Suppose the American spirit in the fullest vigor in Virginia; what military preparation and exertions is she capable of making? The other States have upward of three hundred and thirty thousand men capable of bearing arms; this will be a good army, or they can very easily raise a good army out of so great a number. Our militia amounts to fifty thousand; even stretching it to the improbable amount (urged by some) of sixty thousand, in case of an attack, what defence can we make? Who are militia? Can we depend solely upon these? I will pay the last tribute of gratitude to the militia of my country; they performed some of the most gallant feats during the last war, and acted as nobly as men inured to other vocations could be expected to do, but, Sir, were insufficient for the defence of that State. The militia of our country will be wanted for agriculture; on this noblest of arts depends the virtue and the very existence of a country; if it be neglected,

everything else must be in a state of ruin and decay. It must be neglected if those hands which ought to attend to it are occasionally called forth on military expeditions. Some, also, will be necessary for manufactures and those mechanic arts which are necessary for the aid of the farmer and planter. If we had men sufficient in number to defend ourselves, it could not avail without other requisites. We must have a navy, to be supported in time of peace as well as war, to guard our coasts and defend us against invasions. The impossibility of building and equipping a fleet in a short time constitutes the necessity of having a certain number of ships of war always ready in time of peace. The maintaining a navy will require money ; and where, Sir, can we get money for this and other purposes ? How shall we raise it ? Review the enormity of the debts due by this country ; the amount of debt we owe to the continent for bills of credit, rating at forty for one, will amount to between six and seven hundred thousand pounds. There is also due the continent the balance of requisitions due by us ; and, in addition to this proportion of the old continental debt, there are the foreign, domestic, State, military, and loan-office debts, to which when you add the British debt, where is the possibility of finding money to raise an army or navy ? Review then your real ability. Shall we recur to

loans? Nothing can be more impolitic; they impoverish a nation; we, Sir, have nothing to repay them; nor, Sir, can we procure them. Our numbers are daily increasing by immigration; but this, Sir, will not relieve us, when our credit is gone and it is impossible to borrow money. If the imposts and duties in Virginia, even on the present footing, be very unproductive, and not equal to our necessities, what would they be if we were separated from the Union? From the first of September to the first of June, the amount put into the treasury is only fifty-nine thousand pounds, or a little more. But, Sir, if smuggling be introduced in consequence of high duties, or otherwise, and the Potomac should be lost, what hope is there of getting money from these?

Shall we be asked if the impost would be bettered by the Union? I answer that it will, Sir. Credit being restored and confidence diffused in the country, merchants and men of wealth will be induced to come among us; immigration will increase and commerce will flourish; the impost will therefore be more sure and productive. Under these circumstances, can you find men to defend you? If not men, where can you have a navy? It is an old observation that he who commands at sea will command the land; and it is justified by modern experience in war. The sea

can only be commanded by commercial nations. The United States have every means, by nature, to enable them to distribute supplies mutually among one another, to supply other nations with many articles, and to carry for other nations. Our commerce would not be kindly received by foreigners, if transacted solely by ourselves, as it is the spirit of commercial nations to engross, as much as possible, the carrying trade. This makes it necessary to defend our commerce; but how shall we encompass this end? England has arisen to the greatest height, in modern times, by her Navigation Act and other excellent regulations. The same means would produce the same effects. We have inland navigation. Our last exports did not exceed one million of pounds. Our export trade is entirely in the hands of foreigners. We have no manufacturers; we depend for supplies on other nations, and so far are we from having any carrying trade that, as I have already said, our exports are in the hands of foreigners. Besides the profits that might be made by our natural materials, much greater gains would accrue from their being first wrought before they were exported. England has reaped immense profits by this — nay, even by purchasing and working up those materials which her country did afford; her success in commerce is greatly ascribed to her Navigation Act. Virginia would not, encumbered

as she is, agree to have such an Act. Thus, for the want of a navy, are we deprived of the multifarious advantages of our natural situation; nor is it possible that, if the United States is dissolved, we ever should have a navy sufficient either for our defence or the extension of our trade. I beg gentlemen to consider these two things — our inability to raise and man a navy, and the dreadful consequence of the dissolution of the Union.

I will close this catalogue of the evils of the dissolution of the Union by recalling to your mind what passed in the year 1781. Such was the situation of our affairs then that the powers of a dictator were given to the commander-in-chief to save us from destruction. This shows the situation of the country to have been such as made it ready to embrace an actual dictator. At some future period, will not our distresses impel us to do what the Dutch have done — throw all power into the hands of a stadtholder? How infinitely more wise and eligible than this desperate alternative is an union with our American brethren? I feel myself so abhorrent to anything that will dissolve our Union that I cannot prevail with myself to assent to it directly or indirectly. If the Union is to be dissolved, what step is to be taken? Shall we form a partial confederacy? or is it expected that we shall successfully apply to foreign

alliance for military aid? This last measure, Sir, has ruined almost every nation that has used it; so dreadful an example ought to be most cautiously avoided; for seldom has a nation recurred to the expedient of foreign succor without being ultimately crushed by the succor. We may lose our liberty and independence by this injudicious scheme of policy. Admitting it to be a scheme replete with safety, what nation shall we solicit? France? She will disdain a connection with a people in our predicament. I would trust everything to the magnanimity of that nation, but she would despise a people who had, like us, so imprudently separated from their brethren; and, Sir, were she to accede to our proposal, with what facility could she become mistress of our country! To what nation, then, shall we appeal? To Great Britain? Nobody has as yet trusted that idea. An application to any other must be either fruitless or dangerous. To those who advocate local confederacies and at the same time preach up for republican liberty, I answer that their conduct is inconsistent; the defence of our partial confederacies will require such a degree of force and expense as will destroy every feature of republicanism. Give me leave to say that I see naught but destruction in a local confederacy. With what State can we confederate but North Carolina — North Carolina, situated worse than

ourselves? Consult your own reason. I beseech gentlemen most seriously to reflect on the consequences of such a confederacy; I beseech them to consider whether Virginia and North Carolina, both oppressed with debts and slaves, can defend themselves externally or make their people happy internally. North Carolina having no strength but militia, and Virginia in the same situation, will make, I fear, but a despicable figure in history. Thus, Sir, I hope that I have satisfied you that we are unsafe without an union, and that in union alone safety consists.

I come now, Sir, to the great inquiry whether the confederation be such a government as we ought to continue under; whether it be such a government as can secure the felicity of any free people. Did I believe the confederation was a good thread, which might be broken without destroying its utility entirely, I might be induced to concur in putting it together; but I am so thoroughly convinced of its incapacity to be mended or spliced that I would sooner recur to any other expedient.

When I spoke last, I endeavored to express my sentiments concerning that system, and to apologize (if an apology was necessary) for the conduct of its framers — that it was hastily devised, to enable us to repel a powerful enemy — that the subject was novel, and that its inefficacy was not

discovered till requisitions came to be made by Congress. In the then situation of America, a speedy remedy was necessary to ward off the danger, and this sufficiently answered that purpose; but so universally is its imbecility now known that it is almost useless for me to exhibit it at this time. Has not Virginia, as well as every other State, acknowledged its debility by sending delegates to the general convention? The confederation is, of all things, the most unsafe, not only to trust to, in its present form, but even to amend. The object of a federal government is to remedy and strengthen the weakness of its individual branches, whether that weakness arises from situation or any other external cause. With respect to the first, is it not a miracle that the confederation carried us through the last war? It was our unanimity, Sir, that carried us through it. The system was not ultimately concluded till the year 1781 — although the greatest exertions were made before that time. Then came requisitions of men and money; its defects were immediately discovered; the quotas of men were readily sent — not so those of money. One State feigned inability, another would not comply till the rest did, and various excuses were offered; so that no money was sent in to the treasury — not a requisition was fully complied with. Loans were the next measure fallen upon; upwards of eighty

millions of dollars were wanting, besides the emissions of dollars, forty for one. These things show the impossibility of relying on requisitions.

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If the American spirit is to be depended upon, I call him to awake, to see how his Americans have been disgraced; but I have no hopes that things will be better hereafter. I fully expect things will be as they have been, and that the same derangements will produce similar miscarriages. Will the American spirit produce money or credit, unless we alter our system? Are we not in a contemptible situation — are we not the jest of other nations?

But it is insinuated by the honorable gentleman that we want to be a grand, splendid, and magnificent people. We wish not to become so. The magnificence of a royal court is not our object. We want government, Sir — a government that will have stability and give us security; for our present government is destitute of the one and incapable of producing the other. It cannot, perhaps, with propriety be denominated a government — being void of that energy requisite to enforce its sanctions. I wish my country not to be contemptible in the eyes of foreign nations. A well-regulated community is always respected. It is the internal situation, the defects of govern-

concerning the fisheries, which must terminate in wars. Paper money may also be an additional source of disputes. Rhode Island has been in one continued train of opposition to national duties and integrity ; they have defrauded their creditors by their paper money. Other States have also had emissions of paper money, to the ruin of credit and commerce. May not Virginia, at a future day, also recur to the same expedient ? Has Virginia no affection for paper money or disposition to violate contracts ? I fear she is as fond of these measures as most other States in the Union. The inhabitants of the adjacent States would be affected by the depreciation of paper money, which would assuredly produce a dispute with those States. This danger is taken away by the present Constitution, as it provides "That no State shall emit bills of credit." Maryland has counteracted the policy of this State frequently, and may be meditating examples of this kind again. Before the Revolution there was a contest about those back lands, in which even Government was a party ; it was put an end to by the war. Pennsylvania was ready to enter into a war with us for the disputed lands near the boundaries, and nothing but the superior prudence of the man who was at the head of affairs in Virginia could have prevented it.

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fatigue the House as little as possible. What are the powers of Congress? They have full authority to recommend what they please. This recommendatory power reduces them to the condition of poor supplicants. Consider the dignified language of the members of the American Congress: "May it please your high mightinesses of Virginia to pay your just, proportionate quota of our national debt; we humbly supplicate that it may please you to comply with your federal duties! We implore, we beg your obedience!" Is not this, Sir, a fair representation of the powers of Congress? Their operations are of no validity when counteracted by the States. Their authority to recommend is a mere mockery of government.

But the amendability of the confederation seems to have great weight on the minds of some gentlemen. To what point will the amendment go? What part makes the most important figure? What part deserves to be retained? In it, one body has the legislative, executive, and judicial powers; but the want of efficient powers has prevented the dangers naturally consequent on the union of these. Is this union consistent with an augmentation of their powers? Will you then amend it by taking any one of these three powers? Suppose, for instance, you only vested it with the legislative and executive powers, without any control on the judiciary; what must be the result?

Are we not taught by reason, experience, and governmental history that tyranny is the natural and certain consequence of uniting these two powers, or the legislative and judicial powers, exclusively, in the same body? If any one denies it, I shall pass by him as an infidel not to be reclaimed. Wherever any two of these three powers are vested in one single body, they must, at one time or other, terminate in the destruction of liberty. In the most important cases, the assent of nine States is necessary to pass a law; this is too great a restriction, and whatever good consequences it may in some cases produce, yet it will prevent energy in many other cases; it will prevent energy, which is most necessary in some emergencies, even in cases wherein the existence of the community depends on vigor and expedition. It is incompatible with that secrecy which is the life of execution and despatch. Did ever thirty or forty men retain a secret? Without secrecy, no government can carry on its operations on great occasions; this is what gives that superiority in action to the government of one. If anything were wanting to complete this farce, it would be that a resolution of the Assembly of Virginia and the other legislatures should be necessary to confirm and render of any validity the congressional Acts; this would openly discover the debility of the general government to all the world.

But, in fact, its imbecility is now nearly the same as if such Acts were formally requisite. An Act of the Assembly of Virginia, controverting a resolution of Congress, would certainly prevail. I therefore conclude that the confederation is too defective to deserve correction. Let us take farewell of it, with reverential respect, as an old benefactor. It is gone, whether this House say so or not. It is gone, Sir, by its own weakness.

I am afraid I have tried the patience of this House; but I trust you will pardon me, as I was urged by the importunity of the gentleman in calling for the reasons of laying the groundwork of this plan. It is objected by the honorable gentleman over the way [Mr. George Mason] that a republican government is impracticable in an extensive territory, and the extent of the United States is urged as a reason for the rejection of this Constitution. Let us consider the definition of a republican government, as laid down by a man who is highly esteemed. Montesquieu, so celebrated among politicians, says that "a republican government is that in which the body, or only a part of the people, is possessed of the supreme power; a monarchical, that in which a single person governs by fixed and established laws; a despotic government, that in which a single person, without law and without rule, directs everything by his own will and caprice."

This author has not distinguished a republican government from a monarchy by the extent of its boundaries, but by the nature of its principles. He, in another place, contradistinguishes it as a government of laws, in opposition to others, which he denominates a government of men. The empire, or government of laws, according to that phrase, is that in which the laws are made with the free will of the people; hence then, if laws be made by the assent of the people, the government may be deemed free. When laws are made with integrity and executed with wisdom, the question is whether a great extent of country will tend to abridge the liberty of the people. If defensive force be necessary, in proportion to the extent of the country, I conceive that, in a judiciously constructed government, be the country ever so extensive, its inhabitants will be proportionately numerous and able to defend it. Extent of country, in my conception, ought to be no bar to the adoption of a good government. No extent on earth seems to me too great, provided the laws be wisely made and executed. The principles of representation and responsibility may pervade a large as well as a small territory; and tyranny is as easily introduced into a small as into a large district. If it be answered that some of the most illustrious and distinguished authors are of a contrary opinion, I reply that authority has

no weight with me, till I am convinced—that not the dignity of names but the force of reasoning gains my assent.

I intended to have shown the nature of the powers which ought to have been given to the general government and the reason of investing it with the power of taxation; but this would require more time than my strength, or the patience of the committee, would now admit of. I shall conclude with a few observations, which come from my heart. I have labored for the continuance of the Union—the rock of our salvation. I believe that, as sure as there is a God in heaven, our safety, our political happiness and existence, depend on the union of the States; and that, without this union, the people of this and the other States will undergo the unspeakable calamities which discord, faction, turbulence, war, and bloodshed have produced in other countries. The American spirit ought to be mixed with American pride—pride to see the Union magnificently triumph. Let that glorious pride, which once defied the British thunder, reanimate you again. Let it not be recorded of Americans that, after having performed the most gallant exploits, after having overcome the most astonishing difficulties, and after having gained the admiration of the world by their incomparable valor and policy, they lost their acquired reputation, their national consequence

and happiness, by their own indiscretion. Let no future historian inform posterity that they wanted wisdom and virtue to concur in any regular, efficient government. Should any writer, doomed to so disagreeable a task, feel the indignation of an honest historian, he would reprehend and recriminate our folly with equal severity and justice. Catch the present moment; seize it with avidity and eagerness, for it may be lost, never to be regained. If the Union be now lost, I fear it will remain so forever. I believe gentlemen are sincere in their opposition and actuated by pure motives; but when I maturely weigh the advantages of the Union and dreadful consequence of its dissolution; when I see safety on my right and destruction on my left; when I behold respectability and happiness acquired by the one, but annihilated by the other, I cannot hesitate to decide in favor of the former. I hope my weakness from speaking so long will apologize for my leaving this subject in so mutilated a condition. If a further explanation is desired, I shall take the liberty to enter into it more fully another time.

ALEXANDER HAMILTON

Alexander Hamilton was born in the West Indies in 1757. He came to America as a boy, and was educated at a grammar-school and at Columbia College. At the early age of seventeen he attracted attention by a remarkable political speech, and during the following year published a number of pamphlets in defence of the colonies, which papers won him fame. He bore a distinguished part in the war of the Revolution, and in 1782 was elected a member of the Continental Congress. In 1787 he was delegate to the convention for the purpose of revising the Articles of Confederation, and in conjunction with Madison was the chief author of the Constitution afterwards adopted. His speeches and writings on the subject of ratification were of great value to the Federal party, and he was mainly instrumental in influencing New York to join the Union. In 1789 he was appointed Secretary of the Treasury, and filled the office with great credit until 1795, when he resigned and resumed the practice of law in New York. He was made Major-General in 1798, at the outbreak of the war with France, and at the death of Washington succeeded to the chief command. On the restoration of peace he resigned his commission, and shortly afterwards became involved in a political dispute with Aaron Burr, resulting in a duel in which Hamilton was mortally wounded. He died on July 12, 1804.

Hamilton was perhaps the most brilliant statesman of his country and day. This quality shows in all his speeches, which teem with acute recognition of facts and with accurate foresight. He cared but little for the manner of his utterances, although this was never ungraceful, but there is hardly one of his political harangues which is not worthy of study by all those who aspire to hold the reins of government. Talleyrand classed him with Fox and Napoleon as one of the three greatest men of his time.

Hamilton's complete works, edited by Lodge, were published in 1885. The best biographies are those by Morse (1876) and Lodge (1882).

THE FEDERAL CONSTITUTION

Hamilton.

Hamilton's most famous speech, that on the subject of the proposed Constitution, was delivered before the New York convention on June 20, 1788. The occasion of the speech was the consideration of the second section of the first article of the Constitution. To this the following amendment had been proposed: "*Resolved*, That it is proper that the number of Representatives be fixed at the rate of one for every twenty thousand inhabitants, to be ascertained on the principles mentioned in the second section of the first article of the Constitution, until they amount to three hundred; after which, they shall be apportioned among the States, in proportion to the number of the inhabitants of the States respectively: and that before the first enumeration shall be made, the several States shall be entitled to choose double the number of Representatives for that purpose, mentioned in the Constitution."

THIS is one of those subjects, Mr. Chairman, on which objections very naturally arise and assume the most plausible shape. Its address is to the passions, and its impressions create a prejudice before cool examination has an opportunity for exertion. It is more easy for the human mind to calculate the evils than the advantages of a measure; and vastly more natural to apprehend the danger than to see the necessity of giving powers to our rulers. Hence, I may justly expect that those who hear me will place less

confidence in those arguments which oppose than in those which favor their prepossessions.

After all our doubts, our suspicions and speculations, on the subject of government, we must return at last to this important truth — that when we have formed a constitution upon free principles, when we have given a proper balance to the different branches of the administration and fixed representation upon pure and equal principles, we may with safety furnish it with all the powers necessary to answer, in the most ample manner, the purposes of government. The great *desiderata* are a free representation and mutual checks. When these are obtained, all our apprehensions of the extent of powers are unjust and imaginary. What then is the structure of this Constitution? One branch of the legislature is to be elected by the people — by the same people who choose your State representatives. Its members are to hold their office two years, and then return to their constituents. Here, Sir, the people govern; here they act by their immediate representatives. You have also a Senate, constituted by your State legislatures — by men in whom you place the highest confidence, and forming another representative branch. Then again, you have an executive magistrate, created by a form of election which merits universal admiration. In the form of this govern-

ment, and in the mode of legislation, you find all the checks which the greatest politicians and the best writers have ever conceived. What more can reasonable men desire? Is there any one branch in which the whole legislative and executive powers are lodged? No. The legislative authority is lodged in three distinct branches, properly balanced; the executive authority is divided between two branches; and the judicial is still reserved for an independent body, who hold their offices during good behavior. This organization is so complex, so skilfully contrived, that it is next to impossible that an impolitic or wicked measure should pass the great scrutiny with success. Now, what do gentlemen mean by coming forward and declaiming against this government? Why do they say we ought to limit its powers, to disable it, and to destroy its capacity of blessing the people? Has philosophy suggested — has experience taught that such a government ought not to be trusted with everything necessary for the good of society? Sir, when you have divided and nicely balanced the departments of government; when you have strongly connected the virtue of your rulers with their interest; when, in short, you have rendered your system as perfect as human forms can be — you must place confidence; you must give power.

We have heard a great deal of the sword and

the purse; it is said our liberties are in dange if both are possessed by Congress. Let us se what is the true meaning of this maxim, whic has been so much used and so little understoo It is that you shall not place these powers i either the legislative or executive singly; neith one nor the other shall have both, because th would destroy that division of powers on whic political liberty is founded, and would furnish or body with all the means of tyranny. But whe the purse is lodged in one branch, and the swo in another, there can be no danger. All gover ments have possessed these powers; they woul be monsters without them, and incapable of e ertion. What is your State government? Do not your legislature command what money pleases? Does not your executive execute th laws without restraint? These distinctions b tween the purse and the sword have no applicatic to the system, but only to its separate branche Sir, when we reason about the great interests c a great people, it is high time that we dismiss o prejudices and banish declamation.

In order to induce us to consider the powe given by this Constitution as dangerous—in ord to render plausible an attempt to take away th life and spirit of the most important power in go ernment—the gentleman complains that we sh not have a true and safe representation. I aske

him what a safe representation was, and he has given no satisfactory answer. The Assembly of New York has been mentioned as a proper standard; but, if we apply this standard to the general government, our Congress will become a mere mob, exposed to every irregular impulse and subject to every breeze of faction. Can such a system afford security? Can you have confidence in such a body? The idea of taking the ratio of representation in a small society for the ratio of a great one is a fallacy which ought to be exposed. It is impossible to ascertain to what point our representation will increase; it may vary from one to two, three, or four hundred; it depends upon the progress of population. Suppose it to rest at two hundred; is not this number sufficient to secure it against corruption? Human nature must be a much more weak and despicable thing than I apprehend it to be if two hundred of our fellow-citizens can be corrupted in two years. But, suppose they are corrupted; can they, in two years, accomplish their designs? Can they form a combination, and even lay a foundation for a system of tyranny, in so short a period? It is far from my intention to wound the feelings of any gentleman; but I must, in this most interesting discussion, speak of things as they are, and hold up opinions in the light in which they ought to appear; and I maintain that all that has been said

of corruption, of the purse and the sword, and of the danger of giving powers, is not supported by principle or fact; that it is mere verbiage and idle declamation. The true principle of government is this: make the system complete in its structure; give a perfect proportion and balance to its parts; and the powers you give it will never affect your security. The question, then, of the division of powers between the general and State governments is a question of convenience; it becomes a prudential inquiry what powers are proper to be reserved to the latter; and this immediately involves another inquiry into the proper objects of the two governments. This is the criterion by which we shall determine the just distribution of powers.

The great leading objects of the federal government, in which revenue is concerned, are to maintain domestic peace and provide for the common defence. In these are comprehended the regulation of commerce—that is, the whole system of foreign intercourse—the support of armies and navies, and of the civil administration. It is useless to go into detail. Every one knows that the objects of the general government are numerous, extensive, and important. Every one must acknowledge the necessity of giving powers in all respects and in every degree equal to these objects. This principle assented to, let us inquire what are the objects of the State governments.

Have they to provide against foreign invasion? Have they to maintain fleets and armies? Have they any concern in the regulation of commerce, the procuring alliances, or forming treaties of peace? No. Their objects are merely civil and domestic; to support the legislative establishment and to provide for the administration of the laws. Let any one compare the expense of supporting the civil list in a State with the expense of providing for the defence of the Union. The difference is almost beyond calculation. The experience of Great Britain will throw some light on this subject. In that kingdom, the ordinary expenses of peace to those of war are as one to fourteen; but there they have a monarch, with his splendid court, and an enormous civil establishment, with which we have nothing in this country to compare. If in Great Britain the expenses of war and peace are so disproportioned, how wide will be their disparity in the United States! how infinitely wider between the general government and each individual State! Now, Sir, where ought the great resources to be lodged? Every rational man will give an immediate answer. To what extent shall these resources be possessed? Reason says, as far as possible exigencies can require; that is, without limitation. A constitution cannot set bounds to a nation's wants; it ought not, therefore, to set bounds to its resources. Unexpected

invasions, long and ruinous wars, may demand all the possible abilities of the country. Shall not your government have power to call these abilities into action? The contingencies of society are not reducible to calculations. They cannot be fixed or bounded even in imagination. Will you limit the means of your defence, when you cannot ascertain the force or extent of the invasion? Even in ordinary wars, a government is frequently obliged to call for supplies, to the temporary oppression of the people.

Sir, if we adopt the idea of exclusive revenues, we shall be obliged to fix some distinguished line, which neither government shall overpass. The inconveniences of this measure must appear evident on the slightest examination. The resources appropriated to one may diminish or fail, while those of the other may increase beyond the wants of government. One may be destitute of revenues, while the other shall possess an unnecessary abundance, and the Constitution will be an eternal barrier to a mutual intercourse and relief. In this case, will the individual States stand on so good a ground as if the objects of taxation were left free and open to the embrace of both the governments? Possibly, in the advancement of commerce, the imports may increase to such a degree as to render direct taxes unnecessary. These resources, then, as the Constitution stands, may be occasionally

relinquished to the States; but on the gentleman's idea of prescribing exclusive limits and precluding all reciprocal communication, this would be entirely improper. The laws of the States must not touch the appropriated resources of the United States, whatever may be their wants. Would it not be of more advantage to the States to have a concurrent jurisdiction extending to all the sources of revenue than to be confined to such a small resource as, on calculation of the objects of the two governments, should appear to be their due proportion? Certainly you cannot hesitate on this question. The gentleman's plan would have a further ill effect: it would tend to dissolve the connection and correspondence of the two governments, to estrange them from each other, and to destroy that mutual dependence which forms the essence of union. Sir, a number of arguments have been advanced by an honorable member from New York, which to every unclouded mind must carry conviction. He has stated that in sudden emergencies it may be necessary to borrow, unless you have funds to pledge for the payment of your debts. Limiting the powers of the government to certain resources is rendering the fund precarious; and obliging the government to ask, instead of empowering it to command, is to destroy all confidence and credit. If the power of taxing is restricted, the consequence is that on the breaking out of a

war you must divert the funds appropriated to the payment of debts to answer immediate exigencies. Thus you violate your engagements at the very time you increase the burden of them. Besides, sound policy condemns the practice of accumulating debts. A government, to act with energy, should have the possession of all its revenues to answer present purposes. The principle for which I contend is recognized, in all its extent, by our old Constitution. Congress is authorized to raise troops, to call for supplies without limitation, and to borrow money to any amount. It is true, they must use the form of recommendations and requisitions; but the States are bound by the solemn ties of honor, of justice, of religion, to comply without reserve.

Mr. Chairman, it has been advanced as a principle that no government but a despotism can exist in a very extensive country. This is a melancholy consideration indeed. If it were founded on truth, we ought to dismiss the idea of a republican government, even for the State of New York. This idea has been taken from a celebrated writer, who, by being misunderstood, has been the occasion of frequent fallacies in our reasoning on political subjects. But the position has been misapprehended, and its application is entirely false and unwarrantable. It relates only to democracies, where the whole body of the people meet to transact business,

and where representation is unknown. Such were a number of ancient and some modern independent cities. Men who read without attention have taken these maxims respecting the extent of country, and, contrary to their proper meaning, have applied them to republics in general. This application is wrong in respect to all representative governments, but especially in relation to a confederacy of States, in which the supreme legislature has only general powers and the civil and domestic concerns of the people are regulated by the laws of the several States. This distinction being kept in view, all the difficulty will vanish, and we may easily conceive that the people of a large country may be represented as truly as those of a small one. An assembly constituted for general purposes may be fully competent to every federal regulation, without being too numerous for deliberate conduct. If the State governments were to be abolished, the question would wear a different face; but this idea is inadmissible. They are absolutely necessary to the system. Their existence must form a leading principle in the most perfect constitution we could form. I insist that it never can be the interest or desire of the national legislature to destroy the State governments. It can derive no advantage from such an event; but, on the contrary, would lose an indispensable support, a necessary aid in executing the laws and conveying the

influence of government to the doors of the people. The Union is dependent on the will of the State governments for its chief magistrate and for its Senate. The blow aimed at the members must give a fatal wound to the head, and the destruction of the States must be at once a political suicide. Can the national government be guilty of this madness? What inducements, what temptations can they have? Will they attach new honors to their station, will they increase the national strength, will they multiply the national resources, will they make themselves more respectable in the view of foreign nations or of their fellow-citizens, by robbing the States of their constitutional privileges? But imagine for a moment that a political frenzy should seize the government; suppose they should make the attempt; certainly, Sir, it would be forever impracticable. This has been sufficiently demonstrated by reason and experience. It has been proved that the members of republics have been, and ever will be, stronger than the head. Let us attend to one general historical example. In the ancient feudal governments of Europe, there were, in the first place, a monarch; subordinate to him, a body of nobles; and, subject to these, the vassals, or the whole body of the people. The authority of the kings was limited, and that of the barons considerably independent. A great part of the early wars in Europe were contests between

the king and his nobility. In these contests the latter possessed many advantages derived from their influence and the immediate command they had over the people, and they generally prevailed. The history of the feudal wars exhibits little more than a series of successful encroachments on the prerogatives of monarchy. Here, Sir, is one great proof of the superiority which the members in limited governments possess over their head. As long as the barons enjoyed the confidence and attachment of the people, they had the strength of the country on their side and were irresistible. I may be told that in some instances the barons were overcome; but how did this happen? Sir, they took advantage of the depression of the royal authority and the establishment of their own power to oppress and tyrannize over their vassals. As commerce enlarged, and as wealth and civilization increased, the people began to feel their own weight and consequence; they grew tired of their oppression, united their strength with that of their prince, and threw off the yoke of aristocracy. These very instances prove what I contend for. They prove that in whatever direction the popular weight leans, the current of power will flow; wherever the popular attachments lie, there will rest the political superiority. Sir, can it be supposed that the State governments will become oppressors of the people? Will they forget their

affections? Will they combine to destroy the liberties and happiness of their fellow-citizens for the sole purpose of involving themselves in ruin? God forbid! The idea, Sir, is shocking! It outrages every feeling of humanity and every dictate of common sense!

There are certain social principles in human nature from which we may draw the most solid conclusions with respect to the conduct of individuals and of communities. We love our families more than our neighbors; we love our neighbors more than our countrymen in general. The human affections, like the solar heat, lose their intensity as they depart from the centre, and become languid in proportion to the expansion of the circle on which they act. On these principles, the attachment of the individual will be first and forever secured by the State governments; they will be a mutual protection and support. Another source of influence which has already been pointed out is the various official connections in the States. Gentlemen endeavor to evade the force of this by saying that these offices will be insignificant. This is by no means true. The State officers will ever be important, because they are necessary and useful. Their powers are such as are extremely interesting to the people; such as affect their property, their liberty, and life. What is more important than the administration of justice

and the execution of the civil and criminal laws? Can the State governments become insignificant while they have the power of raising money independently and without control? If they are really useful, if they are calculated to promote the essential interests of the people, they must have their confidence and support. The States can never lose their powers till the whole people of America are robbed of their liberties. These must go together; they must support each other or meet one common fate. On the gentlemen's principle, we may safely trust the State governments, though we have no means of resisting them; but we cannot confide in the national government, though we have an effectual constitutional guard against every encroachment. This is the essence of their argument, and it is false and fallacious beyond conception.

With regard to the jurisdiction of the two governments, I shall certainly admit that the Constitution ought to be so formed as not to prevent the States from providing for their own existence; and I maintain that it is so formed, and that their power of providing for themselves is sufficiently established. This is conceded by one gentleman, and in the next breath the concession is retracted. He says Congress has but one exclusive right in taxation — that of duties on imports; certainly, then, their other powers are only concurrent. But

to take off the force of this obvious conclusion, he immediately says that the laws of the United States are supreme, and that where there is one supreme there cannot be a concurrent authority; and further, that where the laws of the Union are supreme, those of the States must be subordinate, because there cannot be two supremes. This is curious sophistry. That two supreme powers cannot act together is false. They are inconsistent only when they are aimed at each other, or at one indivisible object. The laws of the United States are supreme as to all their proper constitutional objects; the laws of the States are supreme in the same way. These supreme laws may act on different objects without clashing, or they may operate on different parts of the same common object with perfect harmony. Suppose both governments should lay a tax of a penny on a certain article; has not each an independent and uncontrollable power to collect its own tax? The meaning of the maxim, "There cannot be two supremes," is simply this: two powers cannot be supreme over each other. This meaning is entirely perverted by the gentleman. But, it is said, disputes between collectors are to be referred to the federal courts. This is again wandering in the field of conjecture. But suppose the fact certain: is it not to be presumed that they will express the true meaning of the Constitution and the laws?

Will they not be bound to consider the concurrent jurisdiction — to declare that both the taxes shall have equal operation — that both the powers, in that respect, are sovereign and co-extensive? If they transgress their duty, we are to hope that they will be punished. Sir, we can reason from probabilities alone. When we leave common sense and give ourselves up to conjecture, there can be no certainty, no security in our reasonings.

I imagine I have stated to the committee abundant reason to prove the entire safety of the State governments and of the people. I would go into a more minute consideration of the nature of the concurrent jurisdiction and the operation of the laws in relation to revenue, but at present I feel too much indisposed to proceed. I shall, with the leave of the committee, improve another opportunity of expressing to them more fully my ideas on this point. I wish the committee to remember that the Constitution under examination is framed upon truly republican principles, and that, as it is expressly designed to provide for the common protection and the general welfare of the United States, it must be utterly repugnant to this Constitution to subvert the State governments or oppress the people.

RICHARD HENRY LEE

Richard Henry Lee was born in Westmoreland County, Va., in 1732. He was educated in England, and in 1752 returned to Virginia, where he practised law. He was a member of the House of Burgesses from 1761 until 1788, and in 1774 was a delegate to the Continental Congress, continuing in that body, with only a short period of absence, until 1792. He was President of the Congress in 1784–85, and was always prominent in the various committees appointed for important objects during his long term of service. In 1792 lack of health forced him to resign his seat in the Senate and go into retirement on his estate at Chantilly, Va., where he died in 1794.

Although Lee's extreme diffi ıce
from taking part in public c fi
obstacle and established a hig ı
style was easy, impressive, and co
talent for condensation, still retai
indulged in florid rhetoric, but his
ful and happily chosen.

The best account of Lee's life, also containing some specimens of his eloquence, is the *Memoir of the Life of Richard Henry Lee, and His Correspondence,* by his grandson, Richard Henry Lee (2 vols., Phila., 1825).

ADDRESS TO THE PEOPLE OF GREAT BRITAIN

Lee.

On June 3, 1775, it was resolved by the Continental Congress, then in session in Philadelphia, that an address should be drawn up to the people of England, setting forth the grievances of the Colonies. Messrs. Lee, Livingstone, and Pendleton were appointed a committee to draft the address, and the following was the result of their labor. There is no question that it was the production of Lee; and, while never delivered as an oration, it is oratorical in style and is an admirable example of Lee's method. As has been well said: "The dignity of the reproaches of this last address to the people of Britain—its bold and exalted sentiments of reliance on Heaven and the sword drawn in self-defence—the eloquence of its expostulations, the deep pathos of its parting warnings, do justice to the occasion and to those in whose name the draftsman wrote. This address is, indeed, an imperishable monument to the genius and eloquence of Mr. Lee."

The Twelve United Colonies, by their Delegates in Congress, to the Inhabitants of Great Britain:

FRIENDS, Countrymen, and Brethren: By these, and by every other appellation that may designate the ties which bind us to each other, we entreat your serious attention to this, our second attempt to prevent their dissolution. Remembrance of former friendships, pride in the glorious achievements of our common ancestors, and affection for the heirs of their virtues have

hitherto preserved our mutual connection; but when that friendship is violated by the grossest of injuries — when the pride of ancestry becomes our reproach, and we are no otherwise allied than as tyrants and slaves — when reduced to the melancholy alternative of renouncing your favor or our freedom — can we hesitate about the choice? Let the spirit of Britons determine.

In a former address we asserted our rights and stated the injuries we had then received. We hoped that the mention of our wrongs would have roused that honest indignation which has slept too long for your honor or the welfare of the Empire. But we have not been permitted to entertain this pleasing expectation. Every day brought an accumulation of injuries; and the invention of the ministry has been constantly exercised in adding to the calamities of your American brethren.

After the most valuable right of legislation was infringed; when the powers assumed by your Parliament, in which we are not represented, and, from our local and other circumstances, cannot properly be represented, rendered our property precarious; after being denied that mode of trial to which we have been long indebted for the safety of our persons and the preservation of our liberties; after being in many instances divested of those laws which were transmitted to us by our common ancestors, and subjected to an arbi-

trary code, compiled under the auspices of Roman tyrants; after those charters which encouraged our predecessors to brave death and danger in every shape, on unknown seas, in deserts unexplored, amidst barbarous and inhospitable nations, were annulled; when, without the form of trial, without a public accusation, whole colonies were condemned, their trade destroyed, their inhabitants impoverished; when soldiers were encouraged to imbrue their hands in the blood of Americans by offers of impunity; when new modes of trial were instituted for the ruin of the accused, where the charge carried with it the horrors of conviction; when a despotic government was established in a neighboring province, and its limits extended to every of our frontiers;—we little imagined that anything could be added to this black catalogue of unprovoked injuries. But we have unhappily been deceived; and the late measures of the British ministry fully convince us that their object is the reduction of these colonies to slavery and ruin.

To confirm this assertion, let us recall your attention to the affairs of America since our last address. Let us combat the calumnies of our enemies, and let us warn you of the dangers that threaten you in our destruction. Many of your fellow-subjects, whose situation deprived them of other support, drew their maintenance from the

sea; but the deprivation of our liberty being insufficient to satisfy the resentment of our enemies, the horrors of famine were superadded, and a British Parliament, who, in better times, were the protectors of innocence and the patrons of humanity, have, without distinction of age or sex, robbed thousands of the food which they were accustomed to draw from that inexhaustible source, placed in their neighborhood by the benevolent Creator.

Another Act of your Legislature shuts our ports, and prohibits our trade with any but those States from whom the great law of self-preservation renders it absolutely necessary we should at present withhold our commerce. But this Act—whatever may have been its design—we consider rather as injurious to your opulence than our interest. All our commerce terminates with you; and the wealth we procure from other nations is soon exchanged for your superfluities. Our remittances must then cease with our trade, and our refinements with our affluence. We trust, however, that the laws which deprive us of every blessing but a soil that teems with the necessaries of life and that liberty which renders the enjoyment of them secure will not relax our vigor in their defence.

We might here observe on the cruelty and inconsistency of those who, while they publicly

brand us with reproachful and unworthy epithets, endeavor to deprive us of the means of defence by their interposition with foreign powers, and to deliver us to the lawless ravages of a merciless soldiery. But happily we are not without resources; and though the timid and humiliating applications of a British ministry should prevail with foreign nations, yet industry, prompted by necessity, will not leave us without the necessary supplies.

We could wish to go no farther, and, not to wound the ear of humanity, leave untold those rigorous acts of oppression which are daily exercised in the town of Boston, did we not hope that, by disclaiming their deeds and punishing the perpetrators, you would shortly vindicate the honor of the British name and re-establish the violated laws of justice.

That once populous, flourishing, and commercial town is now garrisoned by an army, sent not to protect but to enslave its inhabitants. The civil government is overturned, and a military despotism erected upon its ruins. Without law, without right, powers are assumed unknown to the Constitution. Private property is unjustly invaded. The inhabitants, daily subjected to the licentiousness of the soldiery, are forbid to remove, in defiance of their natural rights, in violation of the most solemn compacts. Or if, after long and wearisome solicitation, a pass is procured, their

effects are detained ; and even those who are most favored have no alternative but poverty or slavery. The distress of many thousand people, wantonly deprived of the necessaries of life, is a subject on which we would not wish to enlarge.

Yet we cannot but observe that a British fleet—unjustified even by Acts of your Legislature—is daily employed in ruining our commerce, seizing our ships, and depriving whole communities of their daily bread. Nor will a regard for your honor permit us to be silent, while British troops sully your glory by actions which the most inveterate enmity will not palliate among civilized nations—the wanton and unnecessary destruction of Charlestown, a large, ancient, and once populous town, just before deserted by its inhabitants, who had fled to avoid the fury of your soldiery.

If still you retain those sentiments of compassion by which Britons have ever been distinguished—if the humanity which tempered the valor of our common ancestors has not degenerated into cruelty—you will lament the miseries of their descendants.

To what are we to attribute this treatment ? If to any secret principle of the Constitution, let it be mentioned ; let us learn that the government we have long revered is not without its defects, and that, while it gives freedom to a part, it necessarily

enslaves the remainder of the Empire. If such a principle exists, why for ages has it ceased to operate? Why at this time is it called into action? Can no reason be assigned for this conduct? Or must it be resolved into the wanton exercise of arbitrary power? And shall the descendants of Britons tamely submit to this? No, Sirs! We never will, while we revere the memory of our gallant and virtuous ancestors— we never can surrender those glorious privileges for which they fought, bled, and conquered. Admit that your fleets could destroy our towns and ravage our seacoasts; these are inconsiderable objects, things of no moment, to men whose bosoms glow with the ardor of liberty. We can retire beyond the reach of your navy, and, without any sensible diminution of the necessaries of life, enjoy a luxury which from that period you will want — the luxury of being free.

We know the force of your arms, and, were it called forth in the cause of justice and your country, we might dread the exertion; but will Britons fight under the banners of tyranny? Will they counteract the labors and disgrace the victories of their ancestors? Will they forge chains for their posterity? If they descend to this unworthy task, will their swords retain their edge, their arms their accustomed vigor? Britons can never become the instruments of oppression till

they lose the spirit of freedom, by which alone they are invincible.

Our enemies charge us with sedition. In what does it consist? In our refusal to submit to unwarrantable acts of injustice and cruelty? If so, show us a period in your history in which you have not been equally seditious.

We are accused of aiming at independence; but how is this accusation supported? By the allegations of your ministers, not by our actions. Abused, insulted, and contemned, what steps have we pursued to obtain redress? We have carried our dutiful petitions to the Throne. We have applied to your justice for relief. We have retrenched our luxury and withheld our trade.

The advantages of our commerce were designed as a compensation for your protection. When you ceased to protect, for what were we to compensate?

What has been the success of our endeavors? The clemency of our Sovereign is unhappily diverted; our petitions are treated with indignity; our prayers answered by insults. Our application to you remains unnoticed, and leaves us the melancholy apprehension of your wanting either the will or the power to assist us.

Even under these circumstances, what measures have we taken that betray a desire of independence? Have we called in the aid of those foreign

powers who are the rivals of your grandeur? When your troops were few and defenceless, did we take advantage of their distress and expel them from our towns? Or have we permitted them to fortify, to receive new aid, and to acquire additional strength?

Let not your enemies and ours persuade you that in this we were influenced by fear or any other unworthy motive. The lives of Britons are still dear to us. They are the children of our parents, and an uninterrupted intercourse of mutual benefits had knit the bonds of friendship. When hostilities were commenced — when on a late occasion we were wantonly attacked by your troops — though we repelled their assaults and returned their blows, yet we lamented the wounds they obliged us to give; nor have we yet learned to rejoice at a victory over Englishmen.

As we wish not to color our actions or disguise our thoughts, we shall, in the simple language of truth, avow the measures we have pursued, the motives upon which we have acted, and our future designs.

When our late petition to the Throne produced no other effect than fresh injuries and votes of your Legislature, calculated to justify every severity: when your fleets and your armies were prepared to wrest from us our property, to rob us of our liberties or our lives: when the hostile attempts of

General Gage evinced his designs: we levied armies for our security and defence. When the powers vested in the Governor of Canada gave us reason to apprehend danger from that quarter, and we had frequent intimations that a cruel and savage enemy was to be let loose upon the defenceless inhabitants of our frontiers, we took such measures as prudence dictated, as necessity will justify. We possessed ourselves of Crown Point and Ticonderoga. Yet give us leave most solemnly to assure you that we have not yet lost sight of the object we have ever had in view — a reconciliation with you on constitutional principles, and a restoration of that friendly intercourse which, to the advantage of both, we till lately maintained.

The inhabitants of this country apply themselves chiefly to agriculture and commerce. As their fashions and manners are similar to yours, your markets must afford them the conveniences and luxuries for which they exchange the produce of their labors. The wealth of this extended continent centres with you; and our trade is so regulated as to be subservient only to your interest. You are too reasonable to expect that by taxes, in addition to this, we should contribute to your expense; to believe, after diverting the fountain, that the streams can flow with unabated force.

It has been said that we refuse to submit to the restrictions on our commerce. From whence is

this inference drawn? Not from our words; we have repeatedly declared the contrary; and we again profess our submission to the several Acts of trade and navigation passed before the year 1763; trusting nevertheless in the equity and justice of Parliament, that such of them as, upon cool and impartial consideration, shall appear to have imposed unnecessary or grievous restrictions will, at some happier period, be repealed or altered. And we cheerfully consent to the operation of such Acts of the British Parliament as shall be restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole Empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation, internal or external, for raising a revenue of the subjects in America without their consent.

It is alleged that we contribute nothing to the common defence. To this we answer that the advantages which Great Britain receives from the monopoly of our trade far exceed our proportion of the expense necessary for that purpose. But should these advantages be inadequate thereto, let the restrictions on our trade be removed, and we will cheerfully contribute such proportion when constitutionally required.

It is a fundamental principle of the British Constitution that every man should have at least a

representative share in the formation of those laws by which he is bound. Were it otherwise, the regulation of our internal police by a British Parliament, who are, and ever will be, unacquainted with our local circumstances, must be always inconvenient and frequently oppressive, working our wrong without yielding any possible advantage to you.

A plan of accommodation — as it has been absurdly called — has been proposed by your ministers to our respective Assemblies. Were this proposal free from every other objection but that which arises from the time of the offer, it would not be unexceptionable. Can men deliberate with the bayonet at their breast? Can they treat with freedom while their towns are sacked, when daily instances of injustice and oppression disturb the slower operations of reason?

If this proposal is really such as you would offer and we accept, why was it delayed till the nation was put to useless expense and we were reduced to our present melancholy situation? If it holds forth nothing, why was it proposed? unless indeed to deceive you into a belief that we were unwilling to listen to any terms of accommodation. But what is submitted to our consideration? We contend for the disposal of our property. We are told that our demand is unreasonable; that our Assemblies may indeed

collect our money, but that they must at the same time offer, not what your exigencies or ours may require, but so much as shall be deemed sufficient to satisfy the desires of a minister and enable him to provide for favorites and dependants. A recurrence to your own treasury will convince you how little of the money already extorted from us has been applied to the relief of your burthens. To suppose that we would thus grasp the shadow and give up the substance is adding insult to injuries.

We have nevertheless again presented a humble and dutiful petition to our Sovereign; and, to remove every imputation of obstinacy, have requested his Majesty to direct some mode by which the united applications of his faithful colonists may be improved into a happy and permanent reconciliation. We are willing to treat on such terms as can alone render an accommodation lasting; and we flatter ourselves that our pacific efforts will be attended with a removal of ministerial troops and a repeal of those laws of the operation of which we complain, on the one part, and a disbanding of our army and a dissolution of our commercial associations, on the other.

Yet conclude not from this that we propose to surrender our property into the hands of your ministry, or vest your Parliament with a power which may terminate in our destruction. The

great bulwarks of our Constitution we have desired to maintain by every temperate, by every peaceable means; but your ministers — equal foes to British and American freedom — have added to their former oppressions an attempt to reduce us by the sword to a base and abject submission. On the sword, therefore, we are compelled to rely for protection. Should victory declare in your favor, yet men trained to arms from their infancy, and animated by the love of liberty, will afford neither a cheap nor easy conquest. Of this at least we are assured, that our struggle will be glorious, our success certain; since even in death we shall find that freedom which in life you forbid us to enjoy.

Let us now ask what advantages are to attend our reduction? The trade of a ruined and desolate country is always inconsiderable, its revenue trifling, the expense of subjecting and retaining it in subjection certain and inevitable. What then remains but the gratification of an ill-judged pride, or the hope of rendering us subservient to designs on your liberty?

Soldiers who have sheathed their swords in the bowels of their American brethren will not draw them with more reluctance against you. When too late, you may lament the loss of that freedom which we exhort you, while still in your power, to preserve.

On the other hand, should you prove unsuccessful: should that connection which we most ardently desire to maintain be dissolved: should your ministers exhaust your treasures and waste the blood of your countrymen in vain attempts on our liberty: do they not deliver you, weak and defenceless, to your natural enemies?

Since then your liberty must be the price of your victories, your ruin of your defeat, what blind fatality can urge you to a pursuit destructive of all that Britons hold dear?

If you have no regard to the connection that has for ages subsisted between us — if you have forgot the wounds we have received fighting by your side for the extension of the Empire — if our commerce is not an object below your consideration — if justice and humanity have lost their influence on your hearts — still motives are not wanting to excite your indignation at the measures now pursued: your wealth, your honor, your liberty are at stake.

Notwithstanding the distress to which we are reduced, we sometimes forget our own afflictions to anticipate and sympathize in yours. We grieve that rash and inconsiderate counsels should precipitate the destruction of an empire which has been the envy and admiration of ages, and call God to witness that we would part with our property, endanger our lives, and sacrifice every thing but liberty to redeem you from ruin.

A cloud hangs over your heads and ours; ere this reaches you, it may probably burst upon us; let us then, before the remembrance of former kindness is obliterated, once more repeat those appellations which are ever grateful to our ears; let us entreat Heaven to avert our ruin and the destruction that threatens our friends, brethren, and countrymen, on the other side of the Atlantic.

SAMUEL ADAMS

Samuel Adams was born in Boston, September 27, 1722. He was of wealthy parentage, and was educated at the Boston Latin School and Harvard College. As a candidate for the degree of M.A. at the latter institution, he chose as the subject of his Latin thesis the question, "Whether it be lawful to resist the supreme magistrate if the commonwealth cannot otherwise be preserved," and argued in the affirmative. He embarked in mercantile pursuits, and it was not until 1764 that he gained much prominence. In that year he drafted the instructions of Boston to its representatives as to the Stamp Act, and he was in the next year himself elected to the Legislature. He was prominent in all the agitation preceding the Declaration of Independence, being the first statesman to recognize the impending necessity of such a measure, and he was instrumental in the organization of the "Boston tea-party," which precipitated the conflict. Adams was elected to the first Continental Congress, and there greatly distinguished himself as orator and statesman, earning the title of the "Colossus of debate." He continued in Congress for eight years, and had a large share in framing the State Constitution adopted by Massachusetts in 1780. In the State Convention of 1788 he was at first known to be opposed to ratification, but finally decided, in the interests of harmony, to support the Constitution, and thereby gained the day for the Federalists. He was made governor of Massachusetts in 1794, serving until 1797, when he retired to private life. He died at Boston in 1803.

Adams was close and logical in his reasoning, and his speech was adorned with well-chosen diction and at times with exquisite metaphor. He had the power of stirring the heart as well as of appealing to the intellect. All in all, the days of the Revolutionary period produced no more finished orator than Samuel Adams.

The most satisfactory biography of Adams is Wells's *Life and Public Services of Samuel Adams* (1865.) His best speeches may be found in various collections.

AMERICAN INDEPENDENCE

Adams.

Only one complete oration has come down to us from the lips of Samuel Adams. Fortunately it is of a character which exemplifies the style which is known to have been peculiarly his own. This is the speech on American Independence, which was delivered at the State House at Philadelphia before a vast audience, on August 1, 1776. The vigor and spirit of the oration well set forth the qualities of the speaker, and the enthusiasm with which the speech was received is ample proof of the fervid ardor in the cause of liberty which was felt by his auditors.

COUNTRYMEN and Brethren: I would gladly have declined an honor to which I find myself unequal. I have not the calmness and impartiality which the infinite importance of this occasion demands. I will not deny the charge of my enemies, that resentment for the accumulated injuries of our country, and an ardor for her glory, rising to enthusiasm, may deprive me of that accuracy of judgment and expression which men of cooler passions may possess. Let me beseech you then to hear me with caution, to examine without prejudice, and to correct the mistakes into which I may be hurried by my zeal.

Truth loves an appeal to the common sense of

mankind. Your unperverted understandings can best determine on subjects of a practical nature. The positions and plans which are said to be above the comprehension of the multitude may be always suspected to be visionary and fruitless. He who made all men hath made the truths necessary to human happiness obvious to all.

Our forefathers threw off the yoke of popery in religion ; for you is reserved the honor of levelling the popery of politics. They opened the Bible to all, and maintained the capacity of every man to judge for himself in religion. Are we sufficient for the comprehension of the sublimest spiritual truths, and unequal to material and temporal ones ? Heaven hath trusted us with the management of things for eternity, and man denies us ability to judge of the present, or to know from our feelings the experience that will make us happy. "You can discern," say they, "objects distant and remote, but cannot perceive those within your grasp. Let us have the distribution of present goods, and cut out and manage as you please the interests of futurity." This day, I trust, the reign of political protestantism will commence. We have explored the temple of royalty, and found that the idol we have bowed down to has eyes which see not, ears that hear not our prayers, and a heart like the nether millstone. We have this day restored the Sovereign to whom

alone men ought to be obedient. He reigns in heaven, and with a propitious eye beholds His subjects assuming that freedom of thought and dignity of self-direction which He bestowed on them. From the rising to the setting sun, may His kingdom come!

Having been a slave to the influence of opinions early acquired, I am ever inclined not to despise, but pity, those who are yet in darkness. But to the eye of reason what can be more clear than that all men have an equal right to happiness? Nature made no other distinction than that of higher or lower degrees of mind and body. But what mysterious distribution of character has the craft of statesmen, more fatal than priestcraft, introduced?

According to their doctrine, the offspring of perhaps the lewd embraces of a successful invader shall, from generation to generation, arrogate the right of lavishing on their pleasures a proportion of the fruits of the earth, more than sufficient to supply the wants of thousands of their fellow-creatures — claim authority to manage them like beasts of burthen, and without superior industry, capacity, or virtue — nay, though disgraceful to humanity by their ignorance, intemperance, and brutality — shall be deemed best calculated to frame laws and to consult for the welfare of society.

Samuel Adams.

From a steel engraving.

Were the talents and virtues which Heaven has bestowed on men given merely to make them more obedient drudges, to be sacrificed to the follies and ambitions of a few? Or were not the noble gifts so equally dispensed with a divine purpose and law that they should as nearly as possible be equally exerted, and the blessings of Providence be equally enjoyed by all? Away then with those absurd systems which, to gratify the pride of a few, debase the greatest part of our species below the order of men! What an affront to the King of the universe to maintain that the happiness of a monster, sunk in debauchery and spreading desolation and murder among men, of a Caligula, a Nero, or a Charles, is more precious in His sight than that of millions of His suppliant creatures who do justice, love mercy, and walk humbly with their God! No! In the judgment of Heaven there is no other superiority among men than a superiority in wisdom and virtue. And can we have a safer model in forming ours? The Deity then has not given any order or family of men authority over others; and if any men have given it, they only could give it for themselves. Our forefathers, it is said, consented to be subject to the laws of Great Britain. I will not at present dispute it, nor mark out the limits and conditions of their submission; but will it be denied that they contracted to pay obedience and to be under the

control of Great Britain because it appeared to them most beneficial in their then present circumstances and situations? We, my countrymen, have the same right to consult and provide for our happiness which they had to promote theirs. If they had a view to posterity in their contracts, it must have been to advance the felicity of their descendants. If they erred in their expectations and prospects, we can never be condemned for a conduct which they would have recommended had they foreseen our present condition.

Ye darkeners of counsel, who would make the property, lives, and religion of millions depend on the evasive interpretations of musty parchments, who would send us to antiquated charters, of uncertain and contradictory meaning, to prove that the present generation are bound to be victims to cruel and unforgiving despotism, tell us whether our pious and generous ancestors bequeathed to us the miserable privilege of having the rewards of our honest industry, the fruits of those fields which they purchased and bled for, wrested from us at the will of men over whom we have no check? Did they contract for us that, with folded arms, we should expect that justice and mercy from brutal and inflamed invaders which have been denied to our supplications at the foot of the Throne? Were we to hear our character as a people ridiculed with indifference? Did they promise

for us that our meekness and patience should be insulted; our coasts harassed; our towns demolished and plundered, and our wives and offspring exposed to nakedness, hunger, and death, without our feeling the resentment of men and exerting those powers of self-preservation which God has given us? No man had once a greater veneration for Englishmen than I entertained. They were dear to me as branches of the same parental trunk and partakers of the same religion and laws; I still view with respect the remains of the Constitution as I would a lifeless body which had once been animated by a great and heroic soul. But when I am roused by the din of arms; when I behold legions of foreign assassins, paid by Englishmen to imbrue their hands in our blood; when I tread over the uncoffined bones of my countrymen, neighbors, and friends; when I see the locks of a venerable father torn by savage hands, and a feeble mother clasping her infants to her bosom and on her knees imploring their lives from her own slaves, whom Englishmen have allured to treachery and murder; when I behold my country, once the seat of industry, peace, and plenty, changed by Englishmen to a theatre of blood and misery, Heaven forgive me if I cannot root out those passions which it has implanted in my bosom, and detest submission to a people who have either ceased to be human or have not vir-

tue enough to feel their own wretchedness and servitude.

Men who content themselves with the semblance of truth and a display of words talk much of our obligations to Great Britain for protection. Had she a single eye to our advantage? A nation of shopkeepers are very seldom so disinterested. Let us not be so amused with words; the extension of her commerce was her object. When she defended our coasts, she fought for her customers, and convoyed our ships, loaded with wealth which we had acquired for her by our industry. She has treated us as beasts of burthen, whom the lordly masters cherish that they may carry a greater load. Let us inquire also against whom she protected us. Against her own enemies, with whom we had no quarrel, or only on her account, and against whom we always readily exerted our wealth and strength when they were required. Were these colonies backward in giving assistance to Great Britain, when they were called upon in 1739 to aid the expedition against Carthagena? They at that time sent three thousand men to join the British army, although the war commenced without their consent. But the last war, it is said, was purely American. This is a vulgar error, which, like many others, has gained credit by being confidently repeated. The dispute between the courts of Great Britain and France related to the limits of

Canada and Nova Scotia. The controverted territory was not claimed by any in the colonies, but by the Crown of Great Britain. It was, therefore, their own quarrel. The infringement of a right which England had, by the treaty of Utrecht, of trading in the Indian country of Ohio was another cause of war. The French seized large quantities of British manufactures, and took possession of a fort which a company of British merchants and factors had erected for the security of their commerce. The war was therefore waged in defence of lands claimed by the Crown, and for the protection of British property. The French at that time had no quarrel with America; and, as appears by letters sent from their commander-in-chief to some of the colonies, wished to remain in peace with us. The part, therefore, which we then took, and the miseries to which we exposed ourselves, ought to be charged to our affection for Britain. These colonies granted more than their proportion to the support of the war. They raised, clothed, and maintained nearly twenty-five thousand men; and so sensible were the people of England of our great exertions that a message was annually sent to the House of Commons purporting "That his Majesty, being highly satisfied of the zeal and vigor with which his faithful subjects in North America had exerted themselves in defence of his Majesty's just rights and possessions,

recommended it to the House to take the same into consideration and enable him to give them a proper compensation."

But what purpose can arguments of this kind answer? Did the protection we received annul our rights as men and lay us under an obligation of being miserable?

Who among you, my countrymen, that is a father, would claim authority to make your child a slave because you had nourished him in his infancy?

It is a strange species of generosity which requires a return infinitely more valuable than anything it could have bestowed: that demands as a reward for the defence of our property a surrender of those inestimable privileges to the arbitrary will of vindictive tyrants which alone give value to that very property.

Political right and public happiness are different words for the same idea. They who wander into metaphysical labyrinths, or have recourse to original contracts to determine the rights of men, either impose on themselves or mean to delude others. Public utility is the only certain criterion. It is a test which brings disputes to a speedy decision and makes its appeal to the feelings of mankind. The force of truth has obliged men to use arguments drawn from this principle who were combating it in practice and speculation. The

advocates for a despotic government and non-resistance to the magistrate employ reasons in favor of their systems drawn from a consideration of their tendency to promote public happiness.

The Author of Nature directs all His operations to the production of the greatest good, and has made human virtue to consist in a disposition and conduct which tends to the common felicity of His creatures. An abridgment of the natural freedom of man by the institution of political societies is vindicable only on this footing. How absurd then is it to draw arguments from the nature of civil society for the annihilation of those very ends which society was intended to procure! Men associate for their mutual advantage. Hence the good and happiness of the members, that is, the majority of the members of any State, is the great standard by which everything relating to that State must finally be determined; and though it may be supposed that a body of people may be bound by a voluntary resignation, which they have been so infatuated as to make, of all their interests to a single person, or to a few, it can never be conceived that the resignation is obligatory to their posterity; because it is manifestly contrary to the good of the whole that it should be so.

These are the sentiments of the wisest and most virtuous champions of freedom. Attend to a por-

tion on this subject from a book in our defence, written, I had almost said, by the pen of inspiration. "I lay no stress," says he, "on charters — they derive their rights from a higher source. It is inconsistent with common sense to imagine that any people would ever think of settling in a distant country on any such condition, or that the people from whom they withdrew should forever be masters of their property and have power to subject them to any modes of government they pleased. And had there been express stipulations to this purpose in all the charters of the colonies, they would, in my opinion, be no more bound by them than if it had been stipulated with them that they should go naked, or expose themselves to the incursions of wolves and tigers."

Such are the opinions of every virtuous and enlightened patriot in Great Britain. Their petition to Heaven is "that there may be one free country left upon earth, to which they may fly when venality, luxury, and vice shall have completed the ruin of liberty there."

Courage then, my countrymen! Our contest is not only whether we ourselves shall be free, but whether there shall be left to mankind an asylum on earth for civil and religious liberty. Dismissing therefore the justice of our cause as incontestable, the only question is what is best for us to pursue in our present circumstances.

The doctrine of dependence on Great Britain is, I believe, generally exploded; but as I would attend to the honest weakness of the simplest of men, you will pardon me if I offer a few words on that subject.

We are now on this continent, to the astonishment of the world, three millions of souls united in one common cause. We have large armies, well disciplined and appointed, with commanders inferior to none in military skill, and superior in activity and zeal. We are furnished with arsenals and stores beyond our most sanguine expectations, and foreign nations are waiting to crown our success by their alliances. There are instances of, I would say, an almost astonishing providence in our favor; our success has staggered our enemies and almost given faith to infidels; so that we may truly say it is not our own arm which has saved us.

The hand of Heaven appears to have led us on to be, perhaps, humble instruments and means in the great providential dispensation which is completing. We have fled from the political Sodom; let us not look back, lest we perish and become a monument of infamy and derision to the world. For can we ever expect more unanimity and a better preparation for defence, more infatuation of counsel among our enemies, and more valor and zeal among ourselves? The same force and

resistance which are sufficient to procure us our liberties will secure us a glorious independence and support us in the dignity of free, imperial States. We cannot suppose that our opposition has made a corrupt and dissipated nation more friendly to America, or created in them a greater respect for the rights of mankind. We can therefore expect a restoration and establishment of our privileges and a compensation for the injuries we have received from their want of power, from their fears, and not from their virtues. The unanimity and valor which will effect an honorable peace can render a future contest for our liberties unnecessary. He who has strength to chain down the wolf is a madman if he lets him loose without drawing his teeth and paring his nails.

From the day on which an accommodation takes place between England and America on any other terms than as independent States, I shall date the ruin of this country. A politic minister will study to lull us into security by granting us the full extent of our petitions. The warm sunshine of influence would melt down the virtue which the violence of the storm rendered more firm and unyielding. In a state of tranquillity, wealth, and luxury, our descendants would forget the arts of war and the noble activity and zeal which made their ancestors invincible. Every art of corruption would be employed to loosen the bond of union

which renders our resistance formidable. When the spirit of liberty which now animates our hearts and gives success to our arms is extinct, our numbers will accelerate our ruin and render us easier victims to tyranny. Ye abandoned minions of an infatuated ministry, if perchance any should yet remain among us, remember that a Warren and a Montgomery are numbered among the dead! Contemplate the mangled bodies of your countrymen, and then say what should be the reward of such sacrifices. Bid us and our posterity bow the knee, supplicate the friendship, and plough, and sow, and reap, to glut the avarice of the men who have let loose on us the dogs of war to riot in our blood and hunt us from the face of the earth! If ye love wealth better than liberty, the tranquillity of servitude than the animating contest of freedom, go from us in peace! We ask not your counsels or arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were our countrymen!

To unite the supremacy of Great Britain and the liberty of America is utterly impossible. So vast a continent, and of such a distance from the seat of empire, will every day grow more unmanageable. The motion of so unwieldy a body cannot be directed with any despatch and uniformity without committing to the Parliament of Great

Britain powers inconsistent with our freedom. The authority and force which would be absolutely necessary for the preservation of the peace and good order of this continent would put all our valuable rights within the reach of that nation.

As the administration of government requires firmer and more numerous supports in proportion to its extent, the burdens imposed on us would be excessive, and we should have the melancholy prospect of their increasing on our posterity. The scale of officers, from the rapacious and needy commissioner to the haughty governor, and from the governor with his hungry train to perhaps a licentious and prodigal viceroy, must be upheld by you and your children. The fleets and armies which will be employed to silence your murmurs and complaints must be supported by the fruits of your industry.

And yet, with all this enlargement of the expense and powers of government, the administration of it at such a distance and over so extensive a territory must necessarily fail of putting the laws into vigorous execution, removing private oppressions, and forming plans for the advancement of agriculture and commerce, and preserving the vast empire in any tolerable peace and security. If our posterity retain any spark of patriotism, they can never tamely submit to such burthens. This country will be made the field of bloody conten-

tion till it gains that independence for which nature formed it. It is therefore injustice and cruelty to our offspring, and would stamp us with the character of baseness and cowardice, to leave the salvation of this country to be worked out by them with accumulated difficulty and danger.

Prejudice, I confess, may warp our judgments. Let us hear the decision of Englishmen on this subject, who cannot be suspected of partiality. "The Americans," say they, "are but little short of half our number. To this number they have grown from a small body of original settlers by a very rapid increase. The probability is that they will go on to increase, and that in fifty or sixty years they will be double our number and form a mighty empire, consisting of a variety of States, all equal or superior to ourselves in all the arts and accomplishments which give dignity and happiness to human life. In that period, will they be still bound to acknowledge that supremacy over them which we now claim? Can there be any person who will assert this, or whose mind does not revolt at the idea of a vast continent holding all that is valuable to it at the discretion of a handful of people on the other side the Atlantic? But if at that period this would be unreasonable, what makes it otherwise now? Draw the line if you can. But there is still a greater difficulty.

"Britain is now, I will suppose, the seat of liberty

and virtue, and its legislature consists of a body of able and independent men, who govern with wisdom and justice. The time may come when all will be reversed; when its excellent constitution of government will be subverted; when, pressed by debts and taxes, it will be greedy to draw to itself an increase of revenue from every distant province, in order to ease its own burdens; when the influence of the Crown, strengthened by luxury and an universal profligacy of manners, will have tainted every heart, broken down every fence of liberty, and rendered us a nation of tame and contented vassals; when a general election will be nothing but a general auction of boroughs, and when the Parliament, the grand council of the nation and once the faithful guardian of the State and a terror to evil ministers, will be degenerated into a body of sycophants, dependent and venal, always ready to confirm any measures, and little more than a public court for registering royal edicts. Such, it is possible, may some time or other be the state of Great Britain. What will at that period be the duty of the colonies? Will they be still bound to unconditional submission? Must they always continue an appendage to our government, and follow it implicitly through every change that can happen to it? Wretched condition indeed of millions of freemen as good as ourselves! Will you say that we now govern

equitably, and that there is no danger of such revolution? Would to God that this were true! But will you not always say the same? Who shall judge whether we govern equitably or not? Can you give the colonies any security that such a period will never come?" No! The period, countrymen, is already come! The calamities were at our door. The rod of oppression was raised over us. We were roused from our slumbers, and may we never sink into repose until we can convey a clear and undisputed inheritance to our posterity. This day we are called upon to give a glorious example of what the wisest and best of men were rejoiced to view only in speculation. This day presents the world with the most august spectacle that its annals ever unfolded: millions of freemen deliberately and voluntarily forming themselves into a society for their common defence and common happiness. Immortal spirits of Hampden, Locke, and Sydney, will it not add to your benevolent joys to behold your posterity rising to the dignity of men and evincing to the world the reality and expediency of your systems, and in the actual enjoyment of that equal liberty which you were happy, while on earth, in delineating and recommending to mankind!

Other nations have received their laws from conquerors; some are indebted for a constitution

to the sufferings of their ancestors through revolving centuries. The people of this country alone have formally and deliberately chosen a government for themselves, and with open and uninfluenced consent bound themselves into a social compact. Here, no man proclaims his birth or wealth as a title to honorable distinction or to sanctify ignorance and vice with the name of hereditary authority. He who has most zeal and ability to promote public felicity, let him be the servant of the public. This is the only line of distinction drawn by nature. Leave the bird of night to the obscurity for which nature intended him, and expect only from the eagle to brush the clouds with his wings and look boldly in the face of the sun.

Some who would persuade us that they have tender feelings for the future generations, while they are insensible to the happiness of the present, are perpetually foreboding a train of dissensions under our popular system. Such men's reasoning amounts to this — give up all that is valuable to Great Britain, and then you will have no inducements to quarrel among yourselves; or suffer yourselves to be chained down by your enemies, that you may not be able to fight with your friends.

This is an insult to your virtue as well as your common sense. Your unanimity this day and

through the course of the war is a decisive refutation of such invidious predictions. Our enemies have already had evidence that our present Constitution contains in it the justice and ardor of freedom and the wisdom and vigor of the most absolute system. When the law is the will of the people, it will be uniform and coherent; but fluctuation, contradiction, and inconsistency of councils must be expected under those governments where every revolution in the ministry of a court produces one in the State — such being the folly and pride of all ministers, that they ever pursue measures directly opposite to those of their predecessors.

We shall neither be exposed to the necessary convulsions of elective monarchies, nor to the want of wisdom, fortitude, and virtue, to which hereditary succession is liable. In your hands it will be to perpetuate a prudent, active, and just legislature, and which will never expire until you yourselves lose the virtue which gave it existence.

And, brethren and fellow-countrymen, if it was ever granted to mortals to trace the designs of Providence and interpret its manifestations in favor of their cause, we may, with humility of soul, cry out: "Not unto us, not unto us, but to Thy Name be the praise." The confusion of the devices among our enemies, and the rage of the elements against them, have done almost as much

towards our success as either our councils or our arms.

The time at which this attempt on our liberty was made, when we were ripened into maturity, had acquired a knowledge of war, and were free from the incursions of enemies in this country: the gradual advances of our oppressors enabling us to prepare for our defence: the unusual fertility of our lands and clemency of our seasons: the success which at first attended our feeble arms, producing unanimity among our friends and reducing our internal foes to acquiescence — these are all strong and palpable marks and assurances that Providence is yet gracious unto Zion, that it will turn away the captivity of Jacob.

Our glorious reformers, when they broke through the fetters of superstition, effected more than could be expected from an age so darkened. But they left much to be done by their posterity. They lopped off, indeed, some of the branches of popery; but they left the root and stock when they left us under the domination of human systems and decisions, usurping the infallibility which can be attributed to Revelation alone. They dethroned one usurper only to raise up another; they refused allegiance to the pope, only to place the civil magistrate in the throne of Christ, vested with authority to enact laws and inflict penalties in His kingdom. And if we now

cast our eyes over the nations of the earth we shall find that, instead of possessing the pure religion of the Gospel, they may be divided either into infidels who deny the truth, or politicians who make religion a stalking horse for their ambition, or professors who walk in the trammels of orthodoxy and are more attentive to traditions and ordinances of men than to the oracles of truth.

The civil magistrate has everywhere contaminated religion by making it an engine of policy; and freedom of thought and the right of private judgment, in matters of conscience, driven from every other corner of the earth, direct their course to this happy country as their last asylum. Let us cherish the noble guests, and shelter them under the wings of an universal toleration. Be this the seat of unbounded religious freedom. She will bring with her in her train industry, wisdom, and commerce. She thrives most when left to shoot forth in her natural luxuriance, and asks from human policy only not to be checked in her growth by artificial encouragements.

Thus, by the beneficence of Providence, we shall behold our empire arising, founded on justice and the voluntary consent of the people, and giving full scope to the exercise of those faculties and rights which most ennoble our species. Besides the advantages of liberty and the most equal

constitution, Heaven has given us a country with every variety of climate and soil, pouring forth in abundance whatever is necessary for the support, comfort, and strength of a nation. Within our own borders we possess all the means of sustenance, defence, and commerce; at the same time, these advantages are so distributed among the different States of this continent as if Nature had in view to proclaim to us: "Be united among yourselves, and you will want nothing from the rest of the world."

The more northern States most amply supply us with every necessary, and many of the luxuries of life: with iron, timber, and masts for ships of commerce or of war; with flax for the manufactory of linen, and seed either for oil or exportation.

So abundant are our harvests, that almost every part raises more than double the quantity of grain requisite for the support of the inhabitants. From Georgia and the Carolinas we have, as well for our own wants as for the purpose of supplying the wants of other powers, indigo, rice, hemp, naval stores, and lumber.

Virginia and Maryland teem with wheat, Indian corn, and tobacco. Every nation whose harvest is precarious, or whose lands yield not those commodities which we cultivate, will gladly exchange their superfluities and manufactures for ours.

We have already received many and large

cargoes of clothing, military stores, etc., from our commerce with foreign powers; and, in spite of the efforts of the boasted navy of England, we shall continue to profit by this connection.

The want of our naval stores has already increased the price of these articles to a great height, especially in Britain. Without our lumber, it will be impossible for those haughty islanders to convey the products of the West Indies to their own ports; for a while they may with difficulty effect it, but, without our assistance, their resources soon must fail. Indeed, the West India Islands appear as the necessary appendages to this our empire. They must owe their support to it; and ere long, I doubt not, some of them will from necessity wish to enjoy the benefit of our protection.

These natural advantages will enable us to remain independent of the world, or make it the interest of European powers to court our alliance and aid in protecting us against the invasions of others. What argument therefore do we want to show the equity of our conduct, or motive of interest to recommend it to our prudence? Nature points out the path, and our enemies have obliged us to pursue it.

If there is any man so base or so weak as to prefer a dependence on Great Britain to the dignity and happiness of living a member of a free and

independent nation, let me tell him that necessity now demands what the generous principle of patriotism should have dictated.

We have now no other alternative than independence, or the most ignominious and galling servitude. The legions of our enemies thicken on our plains; desolation and death mark their bloody career; whilst the mangled corpses of our countrymen seem to cry out to us as a voice from heaven: "Will you permit our posterity to groan under the galling chains of our murderers? Has our blood been expended in vain? Is the only reward which our constancy till death has obtained for our country, that it should be sunk into a deeper and more ingominious vassalage? Recollect who are the men that demand your submission, to whose decrees you are invited to pay obedience! Men who, unmindful of their relation to you as brethren, of your long implicit submission to their laws, of the sacrifice which you and your forefathers made of your natural advantages for commerce to their avarice, formed a deliberate plan to wrest from you the small pittance of property which they had permitted you to acquire. Remember that the men who wish to rule over you are they who, in pursuit of this plan of despotism, annulled the sacred contracts which had been made with your ancestors — conveyed into your cities a mercenary soldiery to

compel you to submission by insult and murder — who called your patience, cowardice; your piety, hypocrisy.

Countrymen! the men who now invite you to surrender your rights into their hands are the men who have let loose the merciless savages to riot in the blood of their brethren — who have dared to establish popery triumphant in our land — who have taught treachery to your slaves, and courted them to assassinate your wives and children.

These are the men to whom you are exhorted to sacrifice the blessings which Providence holds out to us — the happiness, the dignity of uncontrolled freedom and independence.

Let not your generous indignation be directed against any among us who may advise so absurd and madding a measure. Their number is but few and daily decreases; and the spirit which can render them patient of slavery will render them contemptible enemies.

Our Union is now complete; our Constitution composed, established, and approved. You are now the guardians of your own liberties. We may justly address you as the Decemviri did the Romans, and say: "Nothing that we propose can pass into a law without your consent. Be yourselves, O Americans, the authors of those laws on which your happiness depends!"

You have now in the field armies sufficient to

repel the whole force of your enemies and their base and mercenary auxiliaries. The hearts of your soldiers beat high with the spirit of freedom; they are animated with the justice of their cause, and, while they grasp their swords, can look up to Heaven for assistance. Your adversaries are composed of wretches who laugh at the rights of humanity, who turn religion into derision, and would, for higher wages, direct their swords against their leaders or their country. Go on, then, in your generous enterprise, with gratitude to Heaven for past success, and confidence of it in the future. For my own part, I ask no greater blessing than to share with you the common danger and common glory. If I have a wish dearer to my soul than that my ashes may be mingled with those of a Warren and Montgomery, it is that these American States may never cease to be free and independent!

JOHN WITHERSPOON

John Witherspoon was born in Scotland in 1722. He was educated at the University of Edinburgh, and subsequently came to America. Here he was pastor of various parishes from 1745 to 1768, in which year he was elected President of the College of New Jersey, which position he retained until his death. In 1776 he was made a member of the constitutional convention of New Jersey, and was also a member of the first Continental Congress, where he sat in full clerical garb. He advocated and signed the Declaration of Independence, and retained his seat in Congress for six years. When the College of New Jersey, which had been closed during the war, was reopened, he resumed his chair, lecturing on moral philosophy and rhetoric. He died in 1794, having been blind for the last two years of his life.

Witherspoon was a scholarly and fluent speaker, and compelled attention both by his eloquence and by the known integrity of his character — an integrity which shone through all his sentiments.

Witherspoon's works were collected and published in New York (4 vols., 1800) and in Edinburgh (9 vols., 1804).

CONVENTION OF BURGOYNE

Witherspoon.

The surrender of Burgoyne to Gates was made under certain provisions, some of which were not complied with by the British general. Congress promptly considered resolutions to the effect that the embarkation of the British troops, which was in progress under the conditions of the agreement, should be suspended until the receipt from Great Britain of an explicit ratification of the convention as originally drawn up. It was upon the occasion of the discussion upon the adoption of this measure that the following speech was delivered.

MR. PRESIDENT: I am sensible, as every other gentleman in this House seems to be, of the great importance of the present question. It is of much moment, as to private persons, so to every incorporated society, to preserve its faith and honor in solemn contracts; and it is especially so to us, as representing the United States of America, associated so lately and just beginning to appear upon the public stage. I hope, therefore, we shall detest the thoughts of embracing any measure which shall but appear to be mean, captious, or insidious, whatever advantage may seem to arise from it. On the other hand, as the interest of this continent is committed to our care, it is our duty,

and it will be expected of us, that we give the utmost attention that the public suffer no injury by deception, or abuse and insult, on the part of our enemies.

On the first of these principles it is clearly my opinion that we ought, agreeably to the spirit of the first resolution reported, to find that the convention is not broken, on the part of General Burgoyne, as to entitle us to refuse compliance with it on ours and detain him and his army as prisoners of war. I admit that there is something very suspicious in the circumstances of the colors, when compared with his letter in the *London Gazette,* which makes mention of the British colors being seen flying upon the fort. I agree, at the same time, that the pretence of the cartouch-boxes not being mentioned in the convention is plainly an evasion. They ought, in fair construction, to be comprehended under more expressions of that capitulation than one—arms—ammunition—warlike stores. They were so understood at the capitulation of St. John's. In this present instance many of them were delivered up, which certainly ought to have been the case with all or none. And, once more, I admit that the detention of the bayonets, in the instances in which it was done, was undeniably unjust.

As to the first of these particulars, I am unwilling to distrust the honor of a gentleman solemnly

given; and therefore, as General Burgoyne has given his honor to General Gates that the colors were left in Canada, I suppose it is substantially true, whatever small exception there might be to it. The colors seen flying at Ticonderoga were perhaps old colors occasionally found there, or perhaps taken from some of the vessels lying at that place, and left there when the army proceeded further up the country. This is the rather probable, that if the regiments in general had had colors they must have been seen frequently by our army in the battles or upon the march.

As to the other circumstances, they are so mean and little in their nature that I suppose them to have arisen from the indiscretion of individuals, quite unknown to the commander-in-chief or even to the officers in general.

We ought also to consider that it was so unexpected, and must have been so humiliating a thing, for a whole British army to surrender their arms and deliver themselves up prisoners to those of whom they had been accustomed to speak with such contempt and disdain, that it is not to be wondered at if the common soldiers did some things out of spite and ill-humor, not to be justified. To all these considerations I will only add that though the want of the colors deprives us of some ensigns of triumph, which it would have been very grateful to the different States to have

John Witherspoon.

From an old painting.

distributed among them and to have preserved as monuments of our victory, the other things are so trifling and unessential that it would probably be considered as taking an undue advantage if we should retain the whole army here on that account. I would therefore, Sir, have it clearly asserted that, though we are not insensible of those irregularities and they may contribute to make us attentive to what shall hereafter pass before the embarkation, we do not consider them as such breaches of the convention as will authorize us in justice to declare it void.

On the other hand, Sir, it is our indispensable duty to use the greatest vigilance and to act with the greatest firmness in seeing that justice be done to the American States. Not only caution, but what I may call jealousy and suspicion, is neither unreasonable nor indecent in such a case. This will be justified by the knowledge of mankind. History affords us many examples of evasive and artful conduct in some of the greatest men and most respectable nations, when hard pressed by their necessities or when a great advantage was in view. The behavior of the Romans when their army was taken at the Caudine Forks may be produced as one. The conduct of the Samnites was not overwise; but that of the Romans was dishonorable to the last degree, though there are civilians who defend it. Their consul, after his army had passed

through the yoke, a symbol at that time of the utmost infamy, made a peace with the Samnites. The Senate refused to ratify it, but kept up a show of regard to the faith plighted, by delivering up the consul to the Samnites to be used as they thought proper. That people answered, as was easily suggested by plain common sense, that it was no reparation at all to them to torment or put one man to death; but that if they disavowed the treaty, they ought to send back the army to the same spot of ground in which they had been surrounded. No such thing, however, was done. But the Romans, notwithstanding, immediately broke the league; and with the same army which had been let go, or a great part of it, brought the unhappy Samnites to destruction. Such instances may be brought from modern as well as ancient times. It is even the opinion of many persons of the best judgment that the convention entered into by the late Duke of Cumberland was by no means strictly observed by the Court of London.

When I consider this, Sir, I confess I look upon the expression in General Burgoyne's letter to General Gates, on November fourteenth, as of the most alarming nature. For no other and better reason, even so much as pretended, than that his quarters were not so commodious as he expected, he declares "the public faith is broke, and we are the immediate sufferers." In this he expressly declares

and subscribes his opinion that the convention is broken on our part, and in the last expression, "we are the immediate sufferers," every person must perceive a menacing intimation of who shall be the sufferers when he shall have it in his power.

Being sufficiently settled as to the principle on which I shall found my opinion, it is unnecessary for me to give an account of the law of nature and nations, or to heap up citations from the numerous writers on that subject. But that what I shall say may have the greater force, I beg it may be observed that the law of nature and nations is nothing else but the law of general reason, or those obligations of duty from reason and conscience on one individual to another, antecedent to any particular law derived from the social compact or even actual consent. On this account it is called the law of nature; and because there are very rarely to be found any parties in such a free state, with regard to each other, except independent nations, therefore it is called the law of nations. One nation to another is just as man to man in a state of nature. Keeping this in view, a person of integrity will pass as sound a judgment on subjects of this kind by consulting his own heart as by turning over books and systems. The chief use of books and systems is to apply the principle to particular cases and suppositions, differently

classed, and to point out the practice of nations in several minute and special particulars, which, unless ascertained by practice, would be very uncertain and ambiguous.

But, Sir, I must beg your attention, and that of the House, to the nature of the case before us — at least, as I think it ought to be stated. I am afraid that some members may be misled by considering this declaration of General Burgoyne as an irregularity of the same species, if I may speak so, with the other indiscretions, or even frauds, if you please to call them so, of withholding the cartouch-boxes, or hiding or stealing the bayonets. The question is not whether this or the other thing done by the army is a breach of the convention. I have, for my part, given up all these particulars, and declare my willingness to ratify the convention after I have heard them and believe them to be true. But we have here the declared opinion of one of the parties that the public faith is broken by the other. Now, the simplest man in the world knows that a mutual onerous contract is always conditional, and that if the condition fails on one side, whether from necessity or fraud, the other is free. Therefore we have reason to conclude that, if Mr. Burgoyne is of opinion that the convention is broken on our part, he will not hold to it on his. He would act the part of a fool if he did. It is of no consequence to say his

opinion is ill-founded or unjust, as it manifestly is in the present case; for whether it is just or unjust, if it is really his opinion, (and we should wrong his sincerity to doubt it,) the consequences are the same with respect to us. Men do often, perhaps generally, adhere with greater obstinacy to opinions that are ill- than those that are well-founded, and avenge imaginary or trifling injuries with greater violence than those that are real or great. Nay, we may draw an argument for our danger from the very injustice of his complaint. If he has conceived the convention to be broken on so frivolous a pretence as that his lodging is not quite commodious, after the just caution inserted by General Gates in the preliminary articles, what have we to expect from him as soon as he shall recover his liberty and the power of doing mischief? It shows a disposition to find fault and an impatience under his present confinement, the future effects of which we have the greatest reason to dread.

The more I consider this matter, Sir, the more it strikes me with its force. General Gates says, upon the subject of accommodation, "granted as far as circumstances will admit." Was not this proper and necessary? It was very natural to suppose that General Burgoyne, accustomed to the splendor of the British court and possessed with ideas of his own importance, would be but

ill pleased with the best accommodations that could be obtained for him and his numerous followers in one of the frugal States of New England. It was also in the neighborhood of a place not expecting in the least the honor of such guests, which had been long the seat of war — which had been exhausted by our army and plundered by theirs. One would have thought that the recollection of the ruin of Charlestown, — the burning of which, if I mistake not, in a letter of his from Boston to England, he calls a glorious light,—might have prevented his complaints, even though he had less elbow-room than he wished for. But, as circumstances stand, by what conduct shall we be able to satisfy him? When will pretences ever be wanting to one seeking to prove the convention broken, when it is his inclination or his interest to do so?

It has been said, Sir, that we ought not to take this declaration of his in so serious a manner; that it was written rashly and in the heat of passion, and that he did not mean that we should dread such consequences from it. All this I believe to be strictly true. It probably fell from him in a passion, and very unadvisedly. But is he the first person that has rashly betrayed his own mischievous designs? Or is this a reason for our not availing ourselves of the happy discovery? His folly in this instance is our good fortune. He is a

man, Sir, whom I never saw, though I have been more than once in England; but if I should say I did not know him, after having read his lofty and sonorous proclamation and some other productions, I should say what was not true. He is evidently a man, showy, vain, impetuous, and rash. It is reported of General Gates, from whom I never heard that any other words of boasting or ostentation fell, that he said he knew Burgoyne, and that he could build a wall for him to run his head against. I do not by any means approve of boasting in general. I think a man should not boast of what he has done, much less of what he only means to do; yet I cannot help saying that this was a most accurate prediction, which, with the event that followed it, plainly points out to us the character of General Burgoyne. Do you think that such a man would not take the advantage of this pretended breach of the convention on our part, and endeavor to wipe off the reproach of his late ignominious surrender by some signal or desperate undertaking?

JOHN RUTLEDGE

John Rutledge was born in Charleston, S. C., in 1739. He studied law in England, and returned to Charleston in 1761. He soon gained a high reputation as a lawyer, and was a delegate to the New York Congress in 1765. In 1774 he was a member of the South Carolina Convention, and in 1775 was chosen as a delegate to Congress. In 1776 he was elected president and commander-in-chief of South Carolina. He was re-elected, and in 1782 and 1783 represented his State in Congress. He was made a member of the convention to frame the Federal Constitution, and at the close of the labors of the convention was given the office of the chief-justiceship of South Carolina. In 1795 he was appointed Chief Justice of the United States Supreme Court, but his mind soon afterward became affected, and the Senate refused to ratify his nomination. He died in 1800.

Rutledge was of high repute as an orator, but he was guilty of sentences of such length and involution as to make his reasoning difficult to follow. His language, however, was well-chosen and often ornate, and his rounded periods were acceptable to the hearers of his day.

Rutledge's best speeches can be found in the various collections of American oratory. For biographical notices, consult encyclopædias of biography.

TO THE GENERAL ASSEMBLY OF SOUTH CAROLINA

Rutledge.

The following speech was delivered at Jacksonburgh, S. C., on January 18, 1782. It is an excellent example of Rutledge's smooth yet prolix style, while its arraignment of British barbarities is admirable. The nature of the speaker is also finely shown in the recommendation concerning the domestic enemies of his State.

HONORABLE Gentlemen of the Senate—Mr. Speaker and Gentlemen of the House of Representatives: Since the last meeting of a General Assembly, the good people of this State have not only felt the common calamities of war, but, from the wanton and savage manner in which it has been prosecuted, they have experienced such severities as are unpractised, and will scarcely be credited, by civilized nations.

The enemy, unable to make any impression on the Northern States, the number of whose inhabitants and the strength of whose country had baffled their repeated efforts, turned their views toward the Southern, which a difference of circumstances afforded some expectation of conquering

or at least of greatly distressing. After a long resistance, the reduction of Charleston was effected by the vast superiority of the force with which it had been besieged. The loss of that garrison — as it consisted of the Continental troops of Virginia, the Carolinas, and of a number of militia — facilitated the enemy's march into the country and their establishment of strong posts in the upper and interior parts of it; and the unfavorable issue of the action near Camden induced them vainly to imagine that no other army could be collected which they might not easily defeat. The militia, commanded by the brigadiers Sumter and Marion, whose enterprising spirit and unremitted perseverance under many difficulties are deserving of great applause, harassed and often defeated large parties; but the numbers of those militia were too few to contend effectually with the collected strength of the enemy. Regardless, therefore, of the sacred ties of honor, destitute of the feelings of humanity, and determined to extinguish, if possible, every spark of freedom in this country, they, with the insolent pride of conquerors, gave unbounded scope to the exercise of their tyrannical disposition, infringed their public engagements, and violated the most solemn capitulations; many of our worthiest citizens were without cause long and closely confined, some on board of prison-ships, and others in the town and castle of St.

Augustine, their properties disposed of at the will and caprice of the enemy, and their families sent to different and distant parts of the continent, without the means of support; many who had surrendered as prisoners of war were killed in cold blood; several suffered death in the most ignominious manner, and others were delivered up to savages, and put to tortures under which they expired; thus, the lives, liberties, and properties of the people were dependent solely on the pleasure of British officers, who deprived them of either or all on the most frivolous pretences. Indians, slaves, and a desperate banditti of the most profligate characters were caressed and employed by the enemy to execute their infamous purposes; devastation and ruin marked their progress and that of their adherents, nor were their violences restrained by the charms or influence of beauty or innocence. Even the fair sex, whom it is the duty of all and the pleasure and pride of the brave to protect,—they and their tender offspring were victims to the inveterate malice of an unrelenting foe; neither the tears of mothers nor the cries of infants could excite in their breasts pity or compassion. Not only the peaceful habitation of the widow, but the holy temples of the Most High were consumed in flames kindled by their sacrilegious hands. They have tarnished the glory of the British arms, disgraced the profession of

a soldier, and fixed indelible stigmas of rapine, cruelty, perfidy, and profaneness on the British name. But I can now congratulate you, and I do most cordially, on the pleasing change of affairs, which, under the blessing of God, the wisdom, prudence, address, and bravery of the great and gallant General Greene, and the intrepidity of the officers and men under his command, have effected —a general who is justly entitled from his many signal services to honorable and singular marks of your approbation and gratitude; his successes have been more rapid and complete than the most sanguine could have expected. The enemy, compelled to surrender or evacuate every post which they held in the country, frequently defeated and driven from place to place, are obliged to seek refuge under the walls of Charleston and on islands in its vicinity; we have now the full and absolute possession of every other part of the State, and the legislative, executive, and judicial powers are in the free exercise of their respective authorities.

I also most heartily congratulate you on the glorious victory obtained by the combined forces of America and France over their common enemy, when the very general who was second in command at the reduction of Charleston, and to whose boasted prowess and highly extolled abilities the conquest of no less than three States had been arrogantly committed, was speedily compelled to

accept the same mortifying terms which had been imposed on that brave but unfortunate garrison, to surrender an army of many thousand regulars, and to abandon his wretched followers, whom he had artfully seduced from their allegiance by specious promises of protection, which he could never have hoped to fulfil, to the justice or mercy of their country; on the naval superiority established by the illustrious ally of the United States — a superiority in itself so decided, and in its consequences so extensive, as must inevitably soon oblige the enemy to yield to us the only post which they occupy in this State; and on the reiterated proofs of the sincerest friendship, and on the great support which America has received from that powerful monarch — a monarch whose magnanimity is universally acknowledged and admired, and on whose royal word we may confidently rely for every necessary assistance; on the perfect harmony which subsists between France and America: on the stability which her independence has acquired, and the certainty that it is too deeply rooted ever to be shaken; for, animated as they are by national honor, and united by one common interest, it must and will be maintained.

What may be the immediate effects on the British nation of the events which I have mentioned, of their loss of territory in other parts of the world, and of their well-founded apprehension from the

powers of France, Spain, and Holland, it is impossible to foretell. If experience can teach wisdom to a haughty and infatuated people, and if they will now be governed by reason, they will have learned that they can have no solid ground of hope to conquer any State in the Union; for though their armies have obtained temporary advantages over our troops, yet the citizens of these States, firmly resolved as they are never to return to a domination which, nearly six years ago, they unanimously and justly renounced, cannot be subdued; and they must now be convinced that it is the height of folly and madness to persist in so ruinous a war. If, however, we judge, as we ought, of their future by their past conduct, we may presume that they will not only endeavor to keep possession of our capital, but make another attempt, howsoever improbable the success of it may appear, to subjugate this country. It is therefore highly incumbent upon us to use our most strenuous efforts to frustrate so fatal a design; and I earnestly conjure you, by the sacred love which you bear to your country, by the constant remembrance of her bitter sufferings, and by the just detestation of British government which you and your posterity must forever possess, to exert your utmost faculties for that purpose, by raising and equipping with all possible expedition a respectable, permanent force, and by making ample

provision for their comfortable subsistence. I am sensible the expense will be great; but a measure so indispensable to the preservation of our freedom is above every pecuniary consideration.

The organization of our militia is likewise a subject of infinite importance. A clear and concise law, by which the burdens of service will be equally sustained, and a competent number of men brought forth and kept in the field, when their assistance may be required, is essential to our security, and therefore claims your immediate and serious attention. Certain it is that some of our militia have upon several occasions exhibited symptoms of valor which would have reflected honor on veteran troops. The courage and conduct of the generals whom I have mentioned; the cool and determined bravery displayed by Brigadier Pickens; and, indeed, the behavior of many officers and men in every brigade, are unquestionable testimonies of the truth of this assertion. But such behavior cannot be expected from militia in general, without good order and strict discipline; nor can that order and discipline be established but by a salutary law, steadily executed.

Another important matter for your deliberation is the conduct of such of our citizens as, voluntarily avowing their allegiance, and even glorying in their professions of loyalty and attachment to his Britannic Majesty, have offered their congratu-

lations on the success of his arms, prayed to be embodied as loyal militia, accepted commissions in his service, or endeavored to subvert our Constitution and establish his power in its stead; of those who have returned to this State, in defiance of law, by which such return was declared to be a capital offence, and have bettered the British interest; and of such whose behavior has been so reprehensible that justice and policy forbid their free re-admission to the rights and privileges of citizens.

The extraordinary lenity of this State has been remarkably conspicuous. Other States have thought it just and expedient to appropriate the property of British subjects to the public use; but we have forborne even to take the profits of the estates of our most implacable enemies. It is with you to determine whether the forfeiture and appropriation of their property should now take place. If such should be your determination,—though many of our warmest friends have been reduced, for their inflexible attachment to the cause of their country, from opulence to inconceivable distress, and, if the enemy's will and power had prevailed, would have been doomed to indigence and beggary,—yet it will redound to the reputation of this State to provide a becoming support for the families of those whom you may deprive of their property.

The value of paper currency became of late so much depreciated that it was requisite, under the powers vested in the Executive during the recess of the General Assembly, to suspend the laws by which it was made a tender. You will now consider whether it may not be proper to repeal those laws and fix some equitable mode for the discharge of debts contracted whilst paper money was in circulation.

In the present scarcity of specie, it would be difficult, if not impracticable, to levy a tax to any considerable amount towards sinking the public debt, nor will the creditors of the State expect that such a tax should at this time be imposed; but it is just and reasonable that all unsettled demands should be liquidated, and satisfactory assurances of payment given to the public creditors.

The interest and honor, the safety and happiness, of our country depend so much on the result of your deliberations, that I flatter myself you will proceed in the weighty business before you with firmness and temper, with vigor, unanimity, and despatch.

GEORGE WASHINGTON

George Washington was born in Virginia, February 22, 1732. He was not remarkable as a scholar in his boyhood, but displayed marked proclivity toward a military life. In 1748 he became a public surveyor, and busied himself in the duties of this profession until 1751, when he received a commission as Adjutant-General in the forces raised to protect the colony from the forays of the Indians. In 1754 he was given the second command over six companies, and was sent to occupy the outposts of the Ohio. Here he distinguished himself by the defeat of a French detachment. In 1755 he served under Braddock in the campaign which proved fatal to that officer, and was then promoted to the command of the provincial troops. In 1763 he was elected to the House of Burgesses, and at the convention of 1773 urged the right of the colonies to self-government. He was a delegate to the Continental Congress in 1774, and in June of the following year was appointed Commander-in-chief of the Continental army. On the close of hostilities he resigned his commission, occupying himself for some years thereafter in the affairs of his private life. In 1789 he took the oath of office as first President of the United States, having been unanimously chosen by the convention to fill that office. He was re-elected, and served until 1797, when, having declined the nomination for a third term, he finally retired from public life. He died in 1799.

Washington was more noted as soldier and statesman than as orator, yet his strong good sense and sure grasp of situation made his words of weight and value. He was lacking in the grace of diction which comes from scholarship, but his earnestness supplied the deficiency by giving conviction to all his utterances. Rarely eloquent, in the ordinary sense of the word, he was always worthy of attentive hearing.

There are many excellent biographies of Washington. Among the best may be mentioned the *Life of Washington,* by Chief Justice Marshall (5 vols., Phila., 1805), and the *Life and Writings of Washington,* by Sparks (12 vols., Boston, 1834–1837).

FAREWELL ADDRESS

Washington.

Although the Farewell Address of Washington was not actually delivered as a speech, it yet properly comes under the head of oratory, being couched in oratorical style. That it was not so delivered was merely in order to appeal to a larger audience than could be reached by the medium of the voice. The Address was an attempt to impress upon the nation the political maxims which Washington regarded as vital and which had ruled the policy of his administration. It was also a warning against the consequences of departure from that policy. It is of perennial interest because of its qualities of monition and prophecy.

FRIENDS and Fellow-citizens: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when our thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been

taken without regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and the continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of our concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever

partiality may be retained for my services, that in the present circumstances of our country you will not disapprove of my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have with good intentions contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes,—perhaps still more in the eyes of others,—has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me ; still more for the steadfast

confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services, faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious, vicissitudes of fortune often discouraging; in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing wishes that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it

to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motives to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from

different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point of your political fortress against which the batteries of internal and external enemies will be most constantly and actively—though often covertly and insidiously—directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have

the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess are the work of joint councils and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of your country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in like intercourse with the West, already finds, and in the progressive

improvement of interior communications, by land and water, will more and more find, a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find, in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which

opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. 'T is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations — Northern and Southern, Atlantic and Western — whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourself too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the Executive and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction of that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties — that with Great Britain and that with Spain — which secure to them everything they could desire, in respect to our foreign relations,

towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of Government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our

political system is the right of the people to make and to alter the Constitution of Government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacred and obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of a party—often a small, but artful and enterprising minority of the community ; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common councils and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time

and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government; destroying afterward the very engines which have lifted them to unjust dominion.

Toward the preservation of your government and the permanency of your present happy state it is requisite, not only that you speedily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing Constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion. And remember especially that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is

consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name where the government is too feeble to withstand the enterprises of faction, to confine each member of society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the States, with particular reference to the founding of them on geographical discrimination. Let me now take a more comprehensive view, and warn you, in the most solemn manner, against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed. But in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissensions, which, in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads

at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which, nevertheless, ought not to be entirely out of sight,) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channel of party passion. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties, in free countries, are useful checks upon the administration of the government, and serve to keep alive the

spirit of liberty. This, within certain limits, is probably true; and, in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And, there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding, in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into

the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that natural morality can prevail in exclusion of religious principles.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which

unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives; but it is necessary that public opinion should coöperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects — which is always the choice of difficulties — ought to be a decisive motive for a candid construction of the conduct of the Government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all: religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt, in the course of time and things, that fruits of such a plan would

richly repay any temporary advantages that might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur.

Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the Government, contrary to the best calculations of policy. The Government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times,

it makes animosity of the nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. The peace often, and sometimes, perhaps, the liberty of nations, has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions: by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence, in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions; to practise the arts of seduction; to mislead public opinion; to influence or awe the public councils! Such an attachment of a small or weak nation toward a great and powerful one dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me, fellow-citizens,) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to

foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships and enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury and external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own, to stand upon foreign ground? Why, by interweaving our destiny with

that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

'T is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary, and would be unwise, to extend them.

Taking care always to keep ourselves, by suitable establishments, in a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying, by gentle means, the streams of commerce, but forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to sup-

port them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be, from time to time, abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish — that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good — that they may now and then recur to moderate the fury of party spirit; to warn against the mischiefs of foreign intrigues; to guard against the

impostures of pretended patriotism — this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so

far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflection and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am, nevertheless, too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence, and that, after forty-five years of my life dedicated to its services with an upright zeal, the faults of incompetent abilities will be consigned to

oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this, as in other things, and actuated by that fervent love toward it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectations that retreat in which I promised myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government—that ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

HENRY LEE

Henry Lee was born in Virginia in 1756. He graduated at Princeton in 1774, and two years later was given a commission as Captain in the Virginia cavalry. His splendid services during the war obtained for him the soubriquet of "Light-Horse Harry." In 1786 he was a delegate to the Continental Congress, and in 1788 a member of the Virginia convention of ratification. He was a member of the Virginia Legislature from 1789 to 1791, and Governor from 1792 to 1795. In 1799 General Lee was elected member of Congress, and at the death of General Washington was appointed to deliver the commemorative oration. In 1801 he retired from public life, and died in 1818.

Lee was more noted as soldier than as speaker, but the Eulogy on Washington and the fact of his selection to deliver it show both power and reputation as an orator. He was given to inordinate length of sentences, and was rather stilted in language, yet at times his speech bore the character of true eloquence.

Lee's *Memoirs of the War in the Southern Department of the United States* (3d ed., edited by his son, R. E. Lee, New York, 1869) is interesting and valuable. There is no full biography of General Lee.

EULOGY ON WASHINGTON

Lee.

Henry Lee's famous Eulogy on Washington was delivered at Philadelphia, in the German Lutheran Church, on December 26, 1799. It was prepared at the request of Congress. The speech is a fine example of a style of oratory which was in perfect consonance with its time but would now seem inflated and almost bombastic.

IN obedience to your will, I rise, your humble organ, with the hope of executing a part of the system of public mourning which you have been pleased to adopt, commemorative of the death of the most illustrious and most beloved personage this country has ever produced; and which, while it transmits to posterity your sense of the awful event, faintly represents your knowledge of the consummate excellence you so cordially honor.

Desperate, indeed, is any attempt on earth to meet correspondently this dispensation of Heaven; for, while with pious resignation we submit to the will of an all-gracious Providence, we can never cease lamenting, in our finite view of Omnipotent

wisdom, the heartrending privation for which our nation weeps. When the civilized world shakes to its centre; when every moment gives birth to strange and momentous changes; when our peaceful quarter of the globe, exempt as it happily has been from any share in the slaughter of the human race, may yet be compelled to abandon her pacific policy and to risk the doleful casualties of war, what limit is there to the extent of our loss? None within the reach of my words to express; none which your feeling will not disavow.

The founder of our federate Republic — our bulwark in war, our guide in peace, is no more! O that this were but questionable! Hope, the comforter of the wretched, would pour into our agonizing hearts its balmy dew. But alas! there is no hope for us; Washington is removed forever! Possessing the stoutest frame and purest mind, he had passed nearly to his sixty-eighth year in the enjoyment of high health, when, habituated by his care of us to neglect himself, a slight cold, disregarded, became inconvenient on Friday, oppressive on Saturday, and, defying every medical interposition, before the morning of Sunday put an end to the best of men. An end, did I say? — his fame survives, bounded only by the limits of the earth and by the extent of the human mind. He survives in our hearts, in the growing knowledge of our children, in the affection of the

good throughout the world: and when our monuments shall be done away; when nations now existing shall be no more; when even our young and far-spreading empire shall have perished, still will our Washington's glory unfaded shine, and die not until love of virtue cease on earth, or earth itself sinks into chaos.

How, my fellow-citizens, shall I signal to your grateful hearts his preëminent worth? Where shall I begin in opening to your view a character throughout sublime? Shall I speak of his warlike achievements, all springing from obedience to his country's will — all directed to his country's good?

Will you go with me to the banks of the Monongahela, to see your youthful Washington supporting, in the dismal hour of Indian victory, the ill-fated Braddock, and saving, by his judgment and by his valor, the remains of a defeated army, pressed by the conquering savage foe; or, when oppressed America nobly resolved to risk her all in defence of her violated rights, he was elevated by the unanimous voice of Congress to the command of her armies? Will you follow him to the high grounds of Boston, where to an undisciplined, courageous, and virtuous yeomanry his presence gave the stability of system and infused the invincibility of love of country; or shall I carry you to the painful scenes of Long Island, York Island,

Henry Lee.

From a steel engraving

Chas Lee

and New Jersey, when, combating superior and gallant armies, aided by powerful fleets and led by chiefs high in the roll of fame, he stood the bulwark of our safety, undismayed by disaster, unchanged by change of fortune? Or will you view him in the precarious fields of Trenton, where deep gloom, unnerving every arm, reigned triumphant through our thinned, worn-down, unaided ranks, himself unmoved? Dreadful was the night. It was about this time of winter; the storm raged, the Delaware, rolling furiously with floating ice, forbade the approach of man. Washington, self-collected, viewed the tremendous scene; his country called; unappalled by surrounding dangers, he passed to the hostile shore; he fought; he conquered. The morning sun cheered the American world. Our country rose on the event; and her dauntless chief, pursuing his blow, completed in the lawns of Princeton what his vast soul had conceived on the shores of the Delaware.

Thence to the strong grounds of Morristown he led his small but gallant band; and through an eventful winter, by the high efforts of his genius, whose matchless force was measurable only by the growth of difficulties, he held in check formidable hostile legions, conducted by a chief experienced in the art of war and famed for his valor on the ever memorable heights of Abraham, where

fell Wolfe, Montcalm, and, since, our much-lamented Montgomery, all covered with glory. In this fortunate interval, produced by his masterly conduct, our fathers, ourselves, animated by his resistless example, rallied around our country's standard and continued to follow her beloved chief through the various and trying scenes to which the destinies of our Union led.

Who is there that has forgotten the vales of Brandywine, the fields of Germantown, or the plains of Monmouth? Everywhere present, wants of every kind obstructing, numerous and valiant armies encountering, himself a host, he assuaged our sufferings, limited our privations, and upheld our tottering Republic. Shall I display to you the spread of the fire of his soul by rehearsing the praises of the hero of Saratoga and his much-loved compeer of the Carolinas? No; our Washington wears not borrowed glory. To Gates, to Greene, he gave without reserve the applause due to their eminent merit; and long may the chiefs of Saratoga and of Eutaw receive the grateful respect of a grateful people.

Moving in his own orbit, he imparted heart and light to his most distant satellites; and, combining the physical and moral force of all within his sphere, with irresistible weight he took his course, commiserating folly, disdaining vice, dismaying treason, and invigorating despondency, until the

auspicious hour arrived when, united with the intrepid forces of a potent and magnanimous ally, he brought to submission the since conqueror of India; thus finishing his long career of military glory with a lustre corresponding to his great name, and in this, his last act of war, affixing the seal of fate to our nation's birth.

To the horrid din of battle, sweet peace succeeded; and our virtuous chief, mindful only of the common good in a moment tempting personal aggrandizement, hushed the discontents of growing sedition; and surrendering his power into the hands from which he had received it, converted his sword into a ploughshare, teaching an admiring world that to be truly great you must be truly good.

Were I to stop here, the picture would be incomplete and the task imposed unfinished. Great as was our Washington in war, and much as did that greatness contribute to produce the American Republic, it is not in war alone his preeminence stands conspicuous. His various talents, combining all the capacities of a statesman with those of a soldier, fitted him alike to guide the councils and the armies of martial toils, while his invaluable parental advice was still sounding in our ears, when he, who had been our shield and our sword, was called forth to act a less splendid but more important part.

Possessing a clear and penetrating mind, a strong and sound judgment, calmness and temper for deliberation, with invincible firmness and perseverance in resolutions maturely formed; drawing information from all; acting from himself, with incorruptible integrity and unvarying patriotism; his own superiority and the public confidence alike marked him as the man designed by Heaven to lead in the great political as well as military events which have distinguished the era of his life.

The finger of an overruling Providence, pointing at Washington, was neither mistaken nor unobserved when, to realize the vast hopes to which our Revolution had given birth, a change of political system became indispensable.

How novel, how grand the spectacle! Independent States, stretched over an immense territory, and known only by common difficulty, clinging to their union as the rock of their safety, deciding by frank comparison of their relative condition to rear on that rock, under the guidance of reason, a common government through whose commanding protection liberty and order, with their long train of blessings, should be safe to themselves and the sure inheritance of their posterity.

This arduous task devolved on citizens selected by the people from knowledge of their wisdom

and confidence in their virtue. In this august assembly of sages and of patriots Washington of course was found ; and, as if acknowledged to be most wise where all were wise, with one voice he was declared their chief. How well he merited this rare distinction, how faithful were the labors of himself and his compatriots, the work of their hands and our union, strength, and prosperity, the fruits of that work, best attest.

But to have essentially aided in presenting to this country this consummation of her hopes neither satisfied the claims of his fellow-citizens on his talents nor those duties which the possession of those talents imposed. Heaven had not infused into his mind such an uncommon share of its ethereal spirit to remain unemployed, nor bestowed on him his genius unaccompanied with the corresponding duty of devoting it to the common good. To have framed a constitution was showing only, without realizing, the general happiness. This great work remained to be done ; and America, steadfast in her preference, with one voice summoned her beloved Washington, unpractised as he was in the duties of civil administration, to execute this last act in the completion of the national felicity. Obedient to her call, he assumed the high office with that self-distrust peculiar to his innate modesty, the constant attendant of preëminent virtue. What was the burst of joy

through our anxious land on this exhilarating event is known to us all. The aged, the young, the brave, the fair, rivalled each other in demonstrations of their gratitude; and this high-wrought, delightful scene was heightened in its effect by the singular contest between the zeal of the bestower and the avoidance of the receiver of the honors bestowed. Commencing his administration, what heart is not charmed with the recollection of the pure and wise principles announced by himself as the basis of his political life! He best understood the indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and individual felicity; watching, with an equal and comprehensive eye, over this great assemblage of communities and interests, he laid the foundations of our national policy in the unerring, immutable principles of morality, based on religion, exemplifying the preëminence of a free government, by all the attributes which won the affections of its citizens, or commanded the respect of the world.

"O fortunatos nimium, sua si bona norint!"

Leading through the complicated difficulties produced by previous obligations and conflicting interests, seconded by succeeding Houses of

Congress, enlightened and patriotic, he surmounted all original obstruction and brightened the path of our national felicity.

The presidential term expiring, his solicitude to exchange exaltation for humility returned with a force increased with increase of age; and he had prepared his farewell address to his countrymen, proclaiming his intention, when the united interposition of all around him, enforced by the eventful prospects of the epoch, produced a further sacrifice of inclination to duty. The election of president followed; and Washington, by the unanimous vote of the nation, was called to resume the chief magistracy. What a wonderful fixture of confidence! Which attracts most our admiration, a people so correct, or a citizen combining an assemblage of talents forbidding rivalry and stifling even envy itself? Such a nation ought to be happy, such a chief must be forever revered.

War, long menaced by the Indian tribes, now broke out; and the terrible conflict deluging Europe with blood began to shed its baneful influence over our happy land. To the first, outstretching his invincible arm, under the orders of the gallant Wayne, the American Eagle soared triumphant through distant forests. Peace followed victory; and the melioration of the condition of the enemy followed peace. Godlike virtue, which uplifts even the subdued savage!

To the second he opposed himself. New and delicate was the conjecture, and great was the stake. Soon did his penetrating mind discern and seize the only course continuing to us all the felicity enjoyed. He issued his proclamation of neutrality. This index to his whole subsequent conduct was sanctioned by the approbation of both Houses of Congress and by the approving voice of the people.

To this sublime policy he inviolably adhered, unmoved by foreign intrusion, unshaken by domestic turbulence.

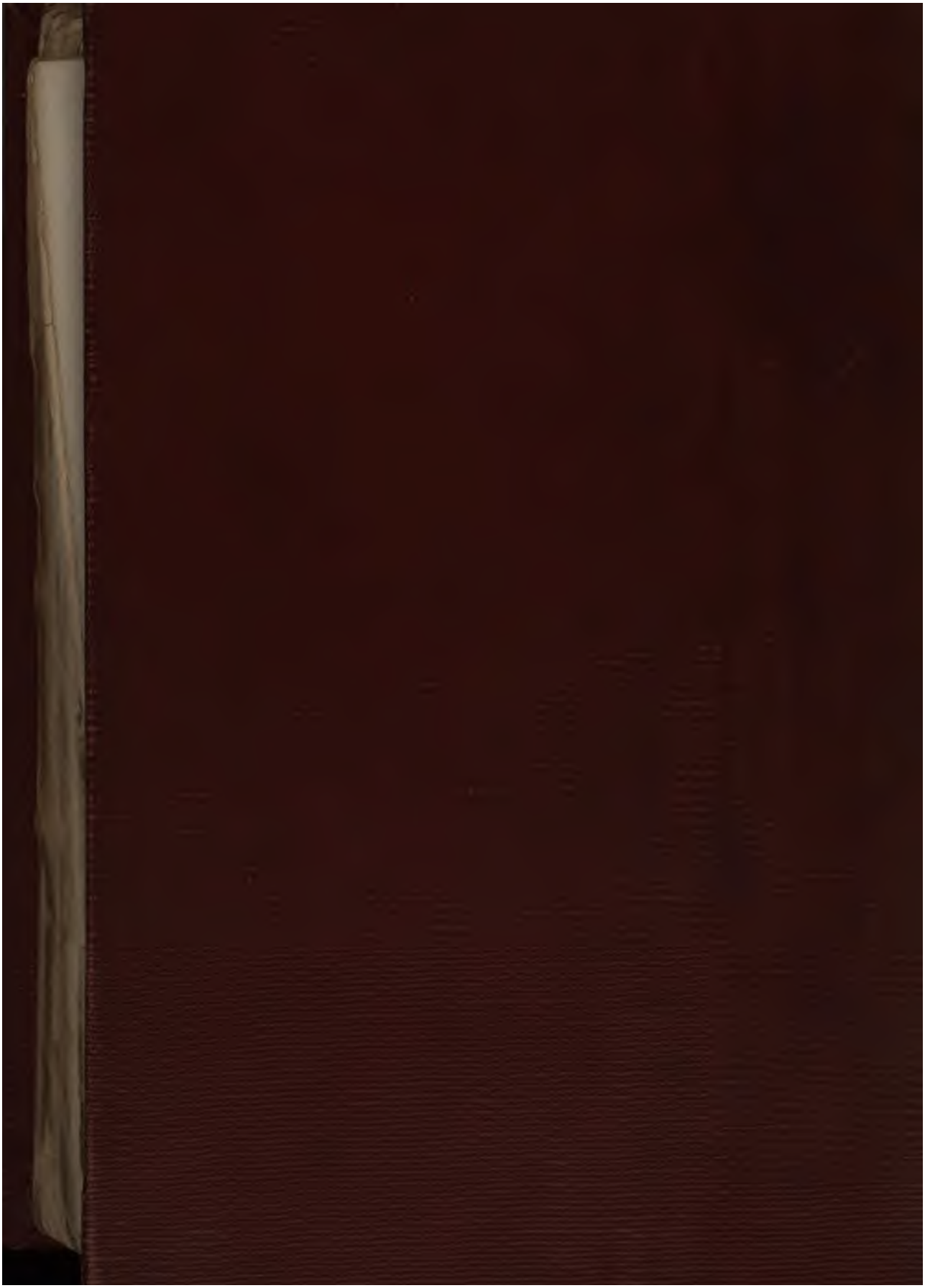
> *"Justum et tenacem propositi virum,*
> *Non civium ardor prava jubentium,*
> *Non vultus instantis tyranni,*
> *Mente quatit solida."*

Maintaining his pacific system at the expense of no duty, America, faithful to herself and unstained in her honor, continued to enjoy the delights of peace, while afflicted Europe mourns in every quarter under the accumulated miseries of an unexampled war — miseries in which our happy country must have shared, had not our preëminent Washington been as firm in council as he was brave in the field.

Pursuing steadfastly his course, he held safe the public happiness, preventing foreign war and quelling internal discord, till the revolving period of a

third election approached, when he executed his interrupted but inextinguishable desire of returning to the humble walks of private life.

The promulgation of his fixed resolution stopped the anxious wishes of an affectionate people from adding a third unanimous testimonial of their unabated confidence in the man so long enthroned in their hearts. When before was affection like this exhibited on earth? Turn over the records of ancient Greece; review the annals of mighty Rome; examine the volumes of modern Europe; you search in vain. America and her Washington only afford the dignified exemplification.

The illustrious personage called by the national voice in succession to the arduous office of guiding a free people had new difficulties to encounter. The amicable effort of settling our difficulties with France, begun by Washington and pursued by his successor in virtue as in station, proving abortive, America took measures of self-defence. No sooner was the public mind roused by a prospect of danger than every eye was turned to the friend of all, though secluded from public view and gray in public service. The virtuous veteran, following his plough, received the unexpected summons with mingled emotions of indignation at the unmerited ill-treatment of his country and of a determination once more to risk his all in her defence.

The annunciation of these feelings, in his affect-